



राजपत्र, हिमाचल प्रदेश

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

खंड 29]

शिमला, सनिवार, 16 मई, 1981/26 वैशाख, 1903

[संलग्न 20

विषय-सूची

भाग 1	वैधानिक नियमों को छोड़ कर हिमाचल प्रदेश के राज्यपाल और हिमाचल प्रदेश हाई कोर्ट द्वारा अधिसूचनाएँ इत्यादि ..	708—722
		तथा
		748—750
भाग 2	वैधानिक नियमों को छोड़ कर विभिन्न विभागों के इव्यक्ति और जिला मैजिस्ट्रेटों द्वारा अधिसूचनाएँ इत्यादि ..	722—725
भाग 3	अधिनियम, विवेक और विषयकों पर प्रबल समिति के प्रतिवेदन, वैधानिक नियम यथा हिमाचल प्रदेश के राज्यपाल, हिमाचल प्रदेश हाई कोर्ट, काइनेशन कामिशनर तथा कमिशनर आफ इन्कम-टैक्स द्वारा अधिसूचित आदेश इत्यादि ..	725—740
भाग 4	स्थानीय स्वायत्तशासन: म्युनिसिपल बोर्ड, डिस्ट्रिक्ट बोर्ड, नोटिफाइंस और टाउन एसिया तथा पंचायती गज विभाग ..	—
भाग 5	वैयक्तिक अधिसूचनाएँ बोर विजायन	740—745
भाग 6	भारतीय राजपत्र इत्यादि में से पुनः प्रकाशन	746—748
भाग 7	भारतीय निर्वाचन आयोग (Election Commission of India) की वैधानिक अधिसूचनाएँ तथा अन्य निर्वाचन सम्बंधी अधिसूचनाएँ	—
—	अनुप्रक	—

16 मई, 1981/26 वैशाख, 1903 को समाप्त होने वाले संस्कृत में निम्नलिखित विज्ञप्तियाँ 'प्रसापात्र राजपत्र, हिमाचल प्रदेश' में प्रकाशित हुईः—

विज्ञप्ति की संख्या	विभाग का नाम	विषय
No. 1-6/76-Tpt. dated the 30th April, 1981.	Transport Department	Appointment of Shri Milkhi Ram, Village and Post Office Bhaira, Distt. Una as non-official member of the State Transport Authority.
No. LSG-A(4)13/76, dated the 30 April, 1981.	Local Self Government Department	Removal of Shri Jai Shanker Parshad from the Presidentship of the Municipal Committee Chamba with Hind Version.
No. LLR-D(6)23/80, dated the 12th May, 1981.	Law Department	The Punjab Security of State (Himachal Pradesh Amendment) Act, 1980 (Act No. 11 of 1980).
No. LLR-D(6)4/81, dated the 12th May, 1981.	-do-	The Himachal Pradesh Extension of Laws and Repealing Act, 1981 (Act No. 10 of 1981) with Hindi Version.

भाग I.—वैधानिक नियमों को लेकर हिमाचल प्रदेश के राज्यपाल और हिमाचल प्रदेश हाई कोर्ट द्वारा प्रक्रियान्वयन इत्यादि

हिमाचल प्रदेश हाई कोर्ट

NOTIFICATIONS

Simla-1, the 28th March, 1981

No. HHC Admn. 6 (23) 74.—In exercise of the powers vested in him under Rule 1.26 of the Himachal Pradesh Financial Rules, 1971, Vol. I, the Hon'ble Chief Justice is pleased to declare the Senior Sub-Judge-cum-Chief Judicial Magistrate, Chamba, Himachal Pradesh, as Drawing and Disbursing Officer, as also the Controlling Officer for the purpose of T.A. etc. in respect of Class III and IV establishment of the Court of the Sub-Judge-cum-Judicial Magistrate, Dalhousie, Himachal Pradesh, under the Head 214—Administration of Justice, till such time the Presiding Officer of the Court of Sub-Judge-cum-Judicial Magistrate, Dalhousie is appointed.

Simla-1, the 31st March, 1981

No. HHC GAZ 14-52/74-II.—The Hon'ble Chief Justice and Judges are pleased to order the following transfers and postings of Himachal Judicial Service Officers in the public interest:—

Sl. No.	Name of the Officer	From	To
1	2	3	4
1.	Sh. O. P. Sharma, SSJ-cum-CJM, Hamirpur.	Hamirpur	Simla vice No. 3
2.	Smt. Kiran Aggarwal, SSJ-cum-CJM, Bilaspur.	Bilaspur	Hamirpur vice No. 1
3.	Sh. B. S. Chahhan, SSJ-cum-CJM, Simla.	Simla	Bilaspur vice No. 2
4.	Sh. K. C. Negi, SJ-cum-JMIC, Rampur.	Rampur	Dalhousie (Against vacant post).
5.	Sh. D. D. Sharma, SJ-cum-JMIC, Theog.	Theog	Rampur vice No. 4
6.	Sh. J. N. Barowalia, SJ-cum-JMIC, Simla.	Simla	Theog vice No. 5
7.	Sh. D. S. Negi, SJ-cum-JMIC, Rohru.	Rohru	Simla vice No. 6
8.	Smt. Aruna Kapoor, SJ-cum-JMIC, Simla.	Simla	Kandaghat vice No. 9
9.	Sh. R. L. Rabgu, SJ-cum-JMIC, Kandaghat.	Kandaghat	Simla vice No. 8

All the above officers shall assume the charge at their new places of posting on the 20th April, 1981. They may relinquish charge of their present posts accordingly. They will avail of usual joining time under the rules.

By order,
V. P. BHATNAGAR,
Registrar.

Simla-1, the 31st March, 1981

No. HHC/GAZ/14-14/74.—The Hon'ble Chief Justice is pleased to accord *ex-post-facto* sanction to the grant of 7 days earned leave with effect from 20-3-1981 to 26-3-1981 in favour of Shri Surendra Parkash, District and Sessions Judge, Simla.

Certified that Shri Surendra Parkash, District and Sessions Judge joined the same post and at the same station from where he proceeded on leave after the expiry of the above leave.

Certified that Shri Surendra Parkash would have continued to officiate as District and Sessions Judge but for his proceeding on leave.

Simla-1, the 1st April, 1981

No. HHC GAZ 14-70/76.—The Hon'ble Chief Justice, is pleased to grant 20 days earned leave with effect from 27th April, 1981 to 16th May, 1981, with permission to avail prefix and suffix holidays falling on 26th April, 1981 and 17th May, 1981 respectively in favour of Shri Joginder Lal Gupta, Sub-Judge-cum-Judicial Magistrate, Nurpur, District Kangra, Himachal Pradesh.

Certified that Shri J. L. Gupta is likely to join the same post and at the same station from where he proceeds on leave after the expiry of the above period of leave.

Certified further that Shri J. L. Gupta would have continued to hold the post of Sub-Judge-cum-Judicial Magistrate but for his proceeding on leave.

By order,
T. R. THAKUR,
Deputy Registrar.

Simla-171001, the 8th April, 1981

No. HHC/Admn. 16 (9) 74.—In exercise of the Powers vested in them by Section 139 (b) of Code of Civil procedure, the Hon'ble Chief Justice and Judges are pleased to appoint Shri Rattan Lal, Advocate, Sarkaghat as Oath Commissioner at Sarkaghat, District Mandi, H.P., for a period of two years from the date of the issue of this notification for administering Oaths/affirmations on affidavits to the deponents under the Code in accordance with the terms specified in paragraph 5 of Ch. 12-B, Vol. IV of the Punjab High Court Rules and Orders as applied to Himachal Pradesh.

Simla-171001, the 8th April, 1981

No. HHC/Admn. 6 (23) 74.—Consequent upon the grant of 20 days earned leave with effect from 27th April, 1981 to 16th May, 1981, with permission to avail prefix and suffix holidays falling on 26th April, 1981 and 17th May, 1981 respectively, in favour of Shri Joginder Lal Gupta, Sub-Judge-cum-Judicial Magistrate, Nurpur, District Kangra, H.P. the Hon'ble Chief Justice in exercise of the powers vested in him under rule 1.26 of the H.P. Financial Rules 1971, Vol. I is pleased to declare the Sub-Judge-cum-Judicial Magistrate, Dharamsala, H.P., as Drawing and Disbursing Officer, as also the Controlling Officer for the purpose of T.A. etc. in respect of Class III and IV establishment of the Court of Sub-Judge-cum-Judicial Magistrate, Nurpur, H.P., under Head 214—Administration of Justice, for the above leave period or until he returns from leave.

Simla-171001, the 8th April, 1981

No. HHC/Admn. 6(23) 74.—Consequent upon the grant of 19 days earned leave with effect from 14-4-1981 to 2-5-1981 with permission to prefix and suffix holidays falling on 10th April, 1981 to 13th April, 1981 and 3rd May, 1981 respectively in favour of Shri Janeshwar Goyal, Senior Sub-Judge-cum-Chief Judicial Magistrate, Dharamsala, H.P., the Hon'ble Chief Justice in exercise of the powers vested in him under rule 1.26 of the H.P. Financial Rules 1971, Vol. I is pleased to declare the Sub-Judge-cum-Judicial Magistrate, Dharamsala, H.P., as Drawing and Disbursing Officer, as also the Controlling Officer for the purpose of T.A. etc. in respect of Class III and IV establishment of the Court of Senior Sub-Judge-cum-Chief Judicial Magistrate, Dharamsala under the Head 214—Administration of Justice, for the above leave period or until he returns from leave.

By order,
Sd/-
Registrar.

Simla-171001, 8th April, 1981

No. HHC/GAZ/14-28/74.—The Hon'ble Chief Justice is pleased to grant 19 days earned leave with effect from 14-4-1981 to 2-5-1981 with permission to prefix and suffix holidays falling on 10-4-1981 to 13-4-1981 and 3-5-1981 respectively in favour of Shri Janeshwar Goyal, Senior Sub-Judge-cum-Chief Judicial Magistrate, Dharamsala, Himachal Pradesh.

Certified that Shri Janeshwar Goyal, Senior Sub-Judge-cum-Chief Judicial Magistrate is likely to join the same post and at the same station from where he proceeds on leave after the expiry of the above period of leave.

Certified further that Shri Janeshwar Goyal would have continued to hold the post of Senior Sub-Judge-cum-Chief Judicial Magistrate, but for his proceeding on leave.

By order,
T. R. THAKUR,
Deputy Registrar (Admn).

Simla-171001, the 13th April, 1981

No. HHC/Admn.6 (15)/74.—The Hon'ble Chief Justice and Judges are pleased to order that Shri D. D. Sharma Sub-Judge 1st Class-cum-Judicial Magistrate 1st Class Rampur will, in addition to his work at Rampur, look after the Civil and Criminal cases of Kinnaur District, Himachal Pradesh.

Simla-171001, the 13th April, 1981

No. HHC/Admn. 6 (23)/74.—In partial modification of this Registry notification No. HHC/Admn.6 (23)/74-2369-71, dated the 12th March, 1981, the Hon'ble Chief Justice, in exercise of the powers vested in him under Rule, 1.26 of the Himachal Pradesh, Financial Rules, 1971, Vol. I, is pleased to declare the Senior Sub-Judge-cum-Chief Judicial Magistrate, Una, as Drawing and Disbursing Officer as also the Controlling Officer for the purpose of T. A. etc., in respect of Class III and IV establishment of the Court of Sub Judge-cum-Judicial Magistrate, Amb, District Una, H.P. under the head "Major Head 214—Administration of Justice (b) Civil and Sessions Courts (b) (ii) Upgradation of standards of Administration" instead of District & Sessions Judge, Hamirpur, till further orders.

Simla-1, the 16th April, 1981

NO. HHC/Admn. 6 (22)/74-II.—Shri S.S. Ahuja, Registrar (Vigilance), High Court of Himachal Pradesh have

been posted as Additional District & Sessions Judge, Mandi, vide notification No. HHC/GAZ/14-53/74 dated the 4th March, 1981, the Hon'ble Chief Justice and Judges, in exercise of the powers vested in them by Section 9 (3) of the Code of Criminal Procedure and Section 5 of the Himachal Pradesh Courts Act, 1976, are pleased to appoint him as Additional District & Sessions Judge, Mandi, Kulu and Lahaul and Spiti Districts at Mandi with immediate effect.

Simla-1, the 16th April, 1981

No. HHC/Admn. 6 (22)/74-II.—In exercise of the powers vested in them under proviso to Section 5 of the Himachal Pradesh Courts Act, 1976 and Section 9 (3) of the Code of Criminal Procedure, the Hon'ble Chief Justice and Judges are pleased to appoint Shri R.L. Khurana, Registrar (Vigilance) High Court of Himachal Pradesh to be the Additional District & Sessions Judge for Simla Civil and Sessions Division with immediate effect.

By Order.

V. P. BHATNAGAR
Registrar.

हिमाचल प्रदेश सरकार
PERSONNEL (A-I) DEPARTMENT
NOTIFICATIONS

Simla-2, the 13th February, 1981

No. PER (A-I)-B(6)-1 80.—The Governor, Himachal Pradesh, is pleased to order that Shri A. L. Jain, Regional Transport Officer, Dharamsala, District Kangra shall hold the charge of the post of Land Acquisition Officer, Talwara in addition to his own duties with immediate effect till further orders, vice Shri P. N. Sharma.

2. The posting orders of Shri P. N. Sharma shall issue separately.

Sd/-
Special Secretary.

Simla-2, the 16th February, 1981

No. 10-4 72-DP-Appn.—In exercise of the powers conferred by sub-section (1) of section 20 of the Code of Criminal Procedure, 1973, the Governor, Himachal Pradesh, is pleased to appoint Shri K. S. Nagang, Leave Reserve Officer, Simla to be the Executive Magistrate, with all the powers of an Executive Magistrate under the said Code, to be exercised within the local limits of District Simla, with immediate effect.

Sd/-
Deputy Secretary.

BOARD OF DEPARTMENTAL EXAMINATIONS

NOTIFICATION

Fair Lawns, Simla-171012, the 4th April, 1981

No.HIPA (Exam.)5/74-V.—The result of the departmental examination of the Excise and Taxation Inspectors in the Excise and Taxation Department of Himachal Pradesh Government held in December, 1980 is hereby notified as below:—

S U B J E C T S											
Sr.No.	Name	Designation	Roll No.	Law of crimes	Excise Law	Law relating to Allied Taxes	Property Tax Law and Practice and Civil Laws	Sales Tax Law and Practice	Book keeping & General Commercial Knowledge	Landa Script (Amritsari or Mahajani)	
1	2	3	4	1	2	3	4	5	6	7	
1.	Shri B.L. Dhiman	Excise and Taxation Inspector, M.P., Barrier, Polian, District Una, H.P.	1101	Fail	Fail	—	—	Fail	—	—	
2.	Shri Shri Chand	Excise and Taxation Inspector, M.P., Barrier, Pandoga, Una H.P.	1102	Pass (HS)	—	—	—	—	—	—	
3.	Shri Seru Ram	Excise and Taxation Inspector, M.P. Barrier, Marwari.	1103	—	Fail	—	—	Fail	—	—	
4.	Shri Jagjit Lal Sharma	Excise and Taxation Inspector, Mehatpur, District Una, H.P.	1104	Pass (HS)	—	—	—	—	—	—	
5.	Shri Bhagat Singh Negi	Excise and Taxation Inspector, M.P., Barrier, Swarghat, District Bilaspur, H.P.	1105	—	Fail	—	Pass(HS)	Fail	Fail	—	
6.	Shri Om Parkash Chaudhary.	Excise and Taxation Inspector, M.P. Barrier, Goalthai via Bhakra, District Bilaspur H.P.	1106	Pass (HS)	—	—	—	—	—	—	
7.	Shri Beli Ram	Excise and Taxation Inspector, M.P. Barrier, Swarghat, District Bilaspur H.P.	1107	A	Pass(HS)	—	—	Fail	Fail	—	
8.	Shri Arvind Kumar Diwan	Excise and Taxation Inspector, Kangra, H.P.	1108	—	—	—	—	—	—	Pass	

9. Shri Manesh Kapoor	Excise and Taxation Inspector, Dharamsala, District Kangra, Himachal Pradesh.	1109	Pass(HS)	—	—	—	—	—	—
10. Shri Krishan Sharma	Excise and Taxation Inspector, Nurpur, District Kangra, Himachal Pradesh.	1110	Pass (HS)	—	—	—	—	—	—
11. Shri Jagdeep Sharma	Excise and Taxation Inspector, M.P. Barrier, Sansarpur Terrace, Tehsil Dehra, District Kangra, H.P.	1111	—	Pass (HS)	—	—	—	Fail	—
12. Shri Rajpal Singh	Excise and Taxation Inspector, M.P. Barrier Indora, District Kangra, H.P.	1112	—	—	—	—	Fail	Fail	—
13. Shri Devinder Singh	Excise and Taxation Inspector, Dharamsala, District Kangra, H.P.	1113	A	A	—	A	A	A	—
14. Shri Dangi Ram Diwan	Excise and Taxation Inspector, M.P. Check Post, Dherewal, P.O. Manjholi, Tehsil Nalagarh, District Solan, H.P.	1114	Pass(HS)	Fail	Pass(HS)	Pass(HS)	Fail	A	—
15. Shri Gopal	Excise and Taxation Inspector, M.P. Barrier, Dherewal, Tehsil Nalagarh, District Solan, H.P.	1115	Pass (HS)	Pass (HS)	—	—	—	Pass	—
16. Shri Vipan Kumar	Excise and Taxation Inspector, M.P. Barrier, Barotiwala, District Solan, H.P.	1116	A	—	—	—	—	A	—
17. Shri Subhash Chand Shukla.	Excise and Taxation Inspector M.P. Barrier, Tunnuhati, P.O. Nanikhad, District Chamba, H.P.	1117	Fail	—	—	—	—	—	—
18. Shri Ashok Kumar	Excise and Taxation Inspector, Tunnuhati P.O. Nanikhad, District Chamba, H.P.	1118	Pass (HS)	Pass (HS)	Pass (HS)	Pass(HS)	Fail	Fail	Pass (HS)

1	2	3	4	1	2	3	4	5	6	7
19.	Shri J. R. Punj	Excise and Taxation Inspector, Simla, H.P.	1119	Fail	—	—	—	—	—	—
20.	Shri Surender Nath Sharma.	Excise and Taxation Inspector, Flying Squad, E.T.C's. Office, H.P., Simla-3.	1120	Pass (HS)	—	—	—	—	Fail	—
21.	Shri D.P. Verma	Excise and Taxation Inspector, Flying Squad, E.T.C's. Office, H.P., Simla-3.	1121	A	—	—	—	—	A	—
22.	Shri D.P. Sharma	Excise and Taxation Inspector, Kinnaur, District Kinnaur at Kalpa, H.P.	1122	—	—	—	—	—	Fail	Pass (HS)
23.	Shri Roshan Lal Sankhayan.	Excise and Taxation Inspector, Nahan, District Sirmur, Himachal Pradesh	1123	A	Fail	—	A	—	A	A
24.	Shri Surinder Kumar Sethi.	Excise and Taxation Inspector, Sarahan, Tehsil Pachhad, District Sirmur, H.P.	1124	—	—	—	—	—	Fail	—
25.	Shri Om Parkash	Excise and Taxation Inspector, M.P. Barrier, Parwanoo, District Solan, H.P.	1125	—	—	—	—	—	A	A
26.	Shri Yaswant Singh Verma.	Excise and Taxation Inspector, M.P. Barrier, Gobindghat, Paonta Sahib, District Sirmur, Himachal Pradesh.	1126	A	A	—	A	A	—	—
27.	Shri Sharwan Kumar Pandir.	Excise and Taxation Inspector, M.P. Barrier, Gobindghat, District Sirmur, H.P.	1127	Pass(HS)	Pass	—	—	—	—	—
28.	Shri Baggu Ram Verma.	Excise and Taxation Inspector, M.P. Barrier, Gobindghat, District Sirmur, H.P.	1128	Fail	Fail	—	—	—	Fail	Pass(HS)

29.	Shri P. C. Sharma	Excise and Taxation Inspector, Paonta Circle, District Sirmur, H.P.	1129	—	—	—	—	—	Fail
30.	Shri Ramesh Kumar Thakur.	Excise and Taxation Inspector, Khodri, P.O. Dakpathar, District Sirmur, H.P.	1130	Pass (H.S.)	—	—	—	—	Pass(Hd)
31.	Shri Manohar Lal	Excise and Taxation Inspector, Sales Tax Barrier, Behral, District Sirmur, H.P.	1131	Fail	Fail	Pass(HS)	—	Fail	Fail
32.	Shri Gopal Krishan Meththa	Excise and Taxation Inspector, M.P. and Sales Tax Barrier, Behral, District Sirmur, H.P.	1132	Fail	Fail	—	—	Fail	Fail
33.	Shri Amar Singh	Excise and Taxation Inspector, M.P. Barrier, Mehatpur, District Una, H.P.	1133	Fail	Fail	—	Pass (H.S.)	—	Fail
34.	Shri Dile Ram Suman	Excise and Taxation Inspector, M.P. Barrier, Mehatpur, District Una, H.P.	1134	Fail	—	—	—	Pass	—
35.	Shri Mukhtiar Singh, Chandel.	Excise and Taxation Inspector M.P., Barrier, Basdehra, District Una, H.P.	1135	Pass (H.S.)	A	—	Pass (H.S.)	Fail	A
36.	Shri Paras Ram	Excise and Taxation Inspector, Office of the Excise and Taxation Officer, Una, H.P.	1136	—	—	—	—	—	Fail
37.	Shri R.D. Sharma	Excise and Taxation Inspector, Bilaspur, District Bilaspur, H.P.	1137	A	—	—	—	—	A
38.	Shri S.R. Sharma	Excise and Taxation Inspector, M.P. Barrier, Swarghat, District Bilaspur, H.P.	1138	Pass (H.S.)	—	—	—	—	—

1	2	3	4	1	2	3	4	5	6	7
39.	Shri Prem Nath	Excise and Taxation Inspector, M.P. Barrier, Goalthai, District Bilaspur, H.P.	1139	Pass (H.S.)	—	—	—	—	—	—
40.	Shri Madan Dev Kanwar.	Excise and Taxation Inspector, Dharamsala, District Kangra, Himachal Pradesh.	1140	A	—	—	—	A	A	—
41.	Shri Rup Lal Sharma.	Excise and Taxation Inspector, Sundernagar District Mandi, H.P.	1141	Pass (H.S.)	—	—	—	—	—	—
42.	Shri Hari Singh Thakur.	Excise and Taxation Inspector, Office of the Excise and Taxation Officer, Mandi District Mandi H.P.	1142	Fail	Fail	—	Pass (H.S.)	—	Fail	—
43.	Shri K.M. Singh	Excise and Taxation Inspector, Office of the Excise and Taxation Officer, Simla, H.P.	1143	—	—	—	—	—	Fail	—
44.	Shri Amin Chand Hans.	Excise and Taxation Inspector o/o The Excise and Taxation Officer, Simla H.P.	1144	Pass (H.S.)	—	—	—	Fail	Fail	Pass (H.S.)
45.	Shri Girdhari Lal Sharma.	Excise and Taxation Inspector, M.P. Barrier, Basdehra, District Una, H.P.	1145	A	Fail	Pass (H.S.)	Pass (H.S.)	Fail	Fail	Pass (H.S.)
46.	Shri Deep Ram	Excise and Taxation Inspector, M.P. Barrier, Santokhgarh, District Una, H.P.	1146	Pass (H.S.)	—	—	—	—	—	—
47.	Shri Behari Lal Chaudhary.	Excise and Taxation Inspector M.P. Barrier, Sansarpur Terrace, Tehsil Dehra, District Kangra, H.P.	1147	—	—	A	A	A	A	A

NOTE: 'A' denotes 'absent'.

'HS' denotes 'Higher Standard' above 50% marks.

R. G. SOOD,
Secretary,
Himachal Pradesh Board of Departmental Examinations, Fair Lawns,
Simla-171012.

EDUCATION DEPARTMENT

NOTIFICATION

Simla-2, the 10th April, 1981

No. 10-20/72-Sectt. Edu. 'A'-III.—The Governor, Himachal Pradesh is pleased to constitute the State Re-organising Committee for Nehru Yuval Kendras functioning in the State with immediate effect, as under:—

1. Education Minister, Himachal Pradesh. Chairman
2. One representative of Union Ministry of Education to be nominated by them .. Member
3. Sh. Kishore Saint, General Secretary, Seva Mandir, Udaipur, Rajasthan. .. -do-
4. Smt. Chanchal Nayar W/o Sh. Soban Chand Nayyar, Chamba -do-
5. Smt. Vidya Stokes, Vice Chairman H.P. M.C., Simla-2 do-
6. Dy. Commissioner, Bilaspur, District Bilaspur -do-
7. Dy. Commissioner, Chamba District, Chamba -do-
8. Sh. K.R. Sharma Youth Co-ordinator, Nehru Yuval Kendra, Una -do-
9. Sh. R.L. Jandev, Youth Co-ordinator, Solan -do-
10. Assistant Director (Social Education) Education Deptt., Himachal Pradesh. -do-
11. Deputy Director, R.J.D., Himachal Pradesh. -do-
12. Joint Director of Education, (Colleges), Himachal Pradesh. -do-
13. Deputy Director of Education (Sports) Himachal Pradesh.. Member-Secretary

2. The duration of this Committee shall be three years in the 1st instance.

3. The T. A. & D. A. will be drawn by the Members of the Committee as per Rules/Instructions contained in the enclosed Annexure.

4. This issues with the prior concurrence obtained from the Finance Department vide their Dy. No. 581-Fin (c) B (15)-3/77, dated 30-3-81.

ANNEXURE

ENTITLEMENT TO T.A./D.A. OF MEMBERS WHO ARE NEITHER STATE GOVERNMENT EMPLOYEES NOR THE CENTRAL GOVERNMENT EMPLOYEES NOR H. P. UNIVERSITY/AUTONOMOUS BODY EMPLOYEES

(1) TRAVELLING ALLOWANCE:

(i) *Journey by Rail.*—He will be treated at par with Government servant of the first grade, and will be entitled to actual rail fare of the class of accommodation actually used but not exceeding the fare to which the Government servant of the First Grade is normally entitled i.e. accommodation of the highest class, by whatever name it may be called, provided on the railway by which the journey is performed, except A.C.C., in accordance with the modified I.A. instructions issued vide O.M. No. 6-4/74, Fin. (Reg.), dated the 21st October, 1974 and other orders issued from time to time.

(ii) *Journey by Road.*—He will be entitled to actual fare for travelling by taking a single seat in a public bus. If the Journey is performed by motor cycle/scooters, or engaging full taxi/own car, the member will be entitled to mileage allowance at the rate (s) prescribed for Grade-I Officers of the State Government.

(iii) In addition to the actual fare of mileage as per item (i) and (ii) above, a member shall draw daily allowance for the entire absence from his permanent place of residence starting with departure from that place and ending with arrival at that place at the same rate and subject to the same terms and conditions as apply to grade-I officers of the State Government.

(2) DAILY ALLOWANCE:

- (i) Non-Official members will be entitled to draw daily allowance for each day of the meeting at the highest rate as admissible to a Government servant of the first grade for respective locality;
- (ii) In addition to daily allowance for the day(s) of the meeting, a member shall also be entitled to daily allowance for halt on tour at out-station in connection with the affairs of the H.P.T.A.C. as under:—
 - (a) If the absence from headquarters does not exceed 6 hours .. Nil.
 - (b) If the absence from headquarters exceeds 6 hours but does not exceed 12 hours .. 70%.
 - (b) If the absence from headquarters exceeds 12 hours .. Full.

(3) CONVEYANCE ALLOWANCE:

A member resident of a place where the meeting of the H.P.T.A.C. are held will not be entitled to travelling and daily allowances on the scales indicated above, but will be allowed only the actual cost of conveyance hire subject to a maximum of Rs. 10.00 per day. Before the claim is actually paid the Controlling Officer should verify the claims and satisfy himself after obtaining such details as may be considered necessary, that the actual expenditure was not less than the amount claimed.

If such a member used his own car, he will be granted mileage allowance at the rates admissible to officials of the 1st grade subject to a maximum of Rs. 10.00 per day.

(4) The travelling and daily allowance will be admissible to a member on production of a certificate by him to the effect that he has not drawn any travelling or daily allowance for the same journey and halts from any other Government source.

(5) The members will be eligible for traveling allowance for the journeys actually performed in connection with the meetings of the H.P.T.A.C. from and to the place of their permanent residence to be named in advance. If the member performs a journey from a place other than the place of his permanent residence to attend a meeting or return to a place other than the place of his permanent residence after the termination of the meeting, travelling allowance shall be worked out on the basis of the distance actually travelled, or the distance between the place of permanent residence and the vogue of the meeting whichever is less.

(6) The members of Parliament who are also members of H.P.T.A.C. shall be entitled to TA/DA in respect of journeys performed by them in connection with the work of the H.P.T.A.C. on the same scale as is admissible to them under salaries and allowances of Members of Parliament as amended from time to time.

(7) The provision of rules 4.17 and 6.1 or the Himachal Pradesh Treasury Rules will apply mutatis mutandis in the case of over payment on account of Travelling Allowance to non-official members.

ANANG PAL,
Commissioner-cum Secretary.

EXCISE AND TAXATION DEPARTMENT

NOTIFICATIONS

Simla-171002, the 31st March, 1981.

No. 19-8/73-E&T (Sectt).—On the recommendations of the Departmental Promotion Committee, the Governor, Himachal Pradesh, is pleased to confirm Shri Rama Nand Sharma as Excise and Taxation Officer (Class-II) in the scale of Rs. 825-1580 with immediate effect.

Simla-171002, the 31st March, 1981.

No. 19-8/73-E&T (Sectt).—On the recommendations of the Departmental promotion Committee, the Governor, Himachal Pradesh is pleased to confirm

Shri Nanak Chand, as Excise and Taxation Officer (Class-II) in the scale of Rs. 825-1580 with immediate effect.

ANANG PAL,
Secretary.

FOOD AND SUPPLIES DEPARTMENT

NOTIFICATION

Simla-2, the 8th April, 1981.

No. F.D.S.F (6)-1-81.—The Governor, Himachal Pradesh is pleased to declare Shri Lal Chand, Kapoor, Deputy Registrar Co-operative Societies, H. P. in Task Force under the control of Commissioner-cum-Secretary (F&S) to exercise the powers delegated to Deputy Director Food and Supplies H.P. for the purpose of the various Licensing and Control Orders issued from time to time by the Food and Supplies Department in the State of H.P. with immediate effect.

By order.
S. M. KANWAR,
Commissioner-cum-Secretary.

**HEALTH AND FAMILY WELFARE DEPARTMENT
"A SECTION"**

NOTIFICATION

Simla-171002, the 9th April, 1981.

No. HEALTH-B(3)-21/783.—The Governor, Himachal Pradesh is pleased to extend the *ad hoc* appointment of Dr. R. S. Rathore as Professor of Pharmacology, H.P. Medical College, Simla in the leave vacancy w.e.f. 5.9.1980 to 8.3.1981.

A. N. VIDYARTHI,
Secretary.

अम विभाग

अधिकारी विभाग

शिमला-171002, 9 मई, 1980

मंस्त्रा 8-28/79-अम.—अधिकारी विभाग अधिनियम, 1947 (1947 का 14) को धारा 17 के अनुसरण में राज्यपाल, हिमाचल प्रदेश द्वारा रूप लाने तथा प्रशासक नया नियम शिमला के मध्य चल रहे विवाद पर प्रीजार्डिंग आफिसर अधिकारी विभाग न्यायालय, हिमाचल प्रदेश द्वारा दिये गये निम्नांकित निर्णय जो सरकार को दिनांक 10-3-1980 को प्राप्त हुआ है प्रकाशित करने के सहृदय आदेश देते हैं:—

ORDER

The petition is permitted to withdraw the present petition to file the fresh if need be as prayed. The file be consigned.

Dated: 9-8-79.

Sd/-
Presiding Officer.

आदेश दंगा,
हस्ताक्षरित
मंचित (अम)।

शिमला-2, 29 अगस्त, 1980

मंस्त्रा 8-20/80-अम.—अधिकारी विभाग अधिनियम 1947 (1947 का अधिनियम मंस्त्रा-14) की धारा 17 के अनुसरण में राज्यपाल, हिमाचल प्रदेश मंत्री विभागी लाल, मिलाप चन्द, माड राम रसाल चन्द और मैंहर मिहन नया देहरा फरेंडज ट्रान्सपोर्ट कोआपरेटर सोसाइटी निमिट्ट के मध्य चल रहे विवादों पर प्रीजार्डिंग आफिसर अधिकारी विभाग न्यायालय, हिमाचल प्रदेश द्वारा दिया गया निम्नांकित निर्णय जो सरकार को दिनांक 25-4-1980 को प्राप्त हुआ है को प्रकाशित करने के आदेश देते हैं।

BEFORE THE PRESIDING OFFICER LABOUR COURT, HIMACHAL PRADESH, SIMLA

CASE No. 93 of 1978

Shri Bihari Lal, Driver son of Shri Munshi Ram, Village Deharian, P.O. Gummer, Tehsil Dehra, District Kangra, Himachal Pradesh
...Applicant.

Versus

The Dehra Friends Co-operative Transport Society Limited, Dehra, District Kangra
...Respondents.

DATE OR DECISION 8-4-1980

Himachal Pradesh Government *vide* Notification No. 7-66/76-LEP(Shram), dated 26th August, 1978, has made reference to this Court for adjudication with the following terms of reference:—

“Whether the termination of services of Shri Bihari Lal Driver by the Dehra Friends Co-operative Transport Society Limited, Dehra is justified and in order? If not, to what relief and exact amount of compensation Shri Bihari Lal is entitled to?”

2. The applicant was directed to put in his claim petition regarding this reference matter. He accordingly has put in application 22nd December, 1978 that he joined the respondents society as driver. That the applicant received a notice on 23-12-1975 for termination of his services after one month's period from the service of the notice. This attempt on the part of the respondents to terminate the applicant's services was frustrated by him on the intervention of the Labour Department. The Respondent had to withdraw the said notice. Thereafter the applicant was put on duty at Gagret to look after the repair of the Bus by attending to it for all the 24 hours. When the applicant applied for night halt allowance at Rs. 4 per day the respondents society refused.

3. The applicant is alleged to have been charge-sheeted on false allegations to which he had furnished proper reply. Even then he was dismissed from service on 28-12-1976 without being afforded any opportunity to defend himself. That termination of applicant's services was illegal and against the principles of natural justice. Therefore, the applicant has claimed re-instatement and payment of full wages from the date of termination.

4. The respondents society raised preliminary objection against the maintainability of this reference on the plea that the dispute between the co-operative society and its employee was entertainable by the Registrar Co-operative Societies under the H.P. Co-operative Societies Act, 1968.

5. On merits it has been contended that the applicant fraudulently claimed Rs. 16/- as allowance for the days actually he was on leave on 8-7-1976, 9-7-1976, 26-7-1976 and 27-7-1976. In May, 1976 also he claimed one day's T.A./D.A. falsely. It is further alleged that when the applicant was put on the body building duty for the bus at Gagret he was not attending duty there properly. On 17th and 18th August, 1976 he was detected to be absent from the duty at the workshop at Gagret by the Director of the society Shri Krishan Datt.

6. The facts of issuing a general notice to the workers in December, 1975, and later on being withdrawn are admitted.

7. As regards the T.A./D.A. claim of the applicant for his duty at Gagret Workshop for body building of the bus it is stated that it was the normal duty of a driver and his stay at Gagret within operational area could not be treated outside the sphere of his duties.

8. That the applicant having proved himself to be dishonest and un-punctual had to be terminated.

9. The applicant also filed a replication re-asserting his position made out in his application.

10. The following issues came to be framed to have the matters in dispute settled:—

- (1) Whether the present dispute between the parties under reference with this Labour Court is beyond its jurisdiction and is entertainable by the Registrar Co-operative Societies, Himachal Pradesh under the Co-operative Law? OPP (Onus Objected.)
2. Whether the petitioner was dismissed from service on 28-12-1976 without being given opportunity to place his defense? OPP.
3. Whether the petitioner is entitled to re-instatement and back wages? OPP.
4. Relief.

FINDING ON ISSUES

Issue No. 1:

11. This issues has already been decided for the applicant per order dated 5-7-1979.

Issue No. 2:

12. The applicant in his evidence (PW 1) has merely stated that he was dismissed from service on 28-12-1976 and has failed to show and state that this dismissal was invalid for any reason. In cross-examination he admitted that he had received the charge-sheet and the enquiry was held by Shri Munshi Ram (Retired Major). Of course in cross-examination he states that no hearing was given to him.

13. The applicant was charge-sheeted as under *vide* charge-sheet dated 7th September, 1976 marked 'XX':—

- (1) Attempting to cheat the society by claiming T.A./ D.A., for period of leave and absence from duty days, in that you will fully put up a claim for T.A./ D.A. to cheat the society as per detail:—
 - (a) at rate Rs. 4/- per day for 29-5-1976 one day when you were out on sanctioned leave (cheating to the extent of Rs. 4/-).
 - (b) at rate Rs. 4/- per day for 8-7-1976 and 9-7-1976 two days when you were on leave of absence *vide* your application dated 7-7-1976 (cheating to the extent of Rs. 8/-).
 - (c) at rate Rs. 4/- per day 26-7-1976 and 27-7-1976 two days when you were absent from duty at Gagret as per report incharge workshop Shri Kishan Chand (cheating to the extent of Rs. 8/-).

(2) Absenting himself without leave in that you when posted on duty at Gagret to attend repairs on society bus No. HPK 254 absent himself on 28-7-1976 to 30-7-1976 3 days without prior permission.

14. RW 3/D are the enquiry statements of Shri Durga Dass, Accountant of the respondents society and the applicant Shri Bihari Lal, recorded by Shri Munshi Ram (Major) President of the Society dated 25-9-1976. Ex. RW 3/D/1 is the enquiry findings. According to these findings the allegations of the charge-sheet have been held to be proved against the applicant.

15. On the basis of these findings the Management *vide* its resolution dated 28-12-1976 terminated the services of the applicant.

16. I have perused the statement of Shri Durga Dass, Accountant as witness and Shri Bihari Lal applicant (RW 3/D) recorded by the Enquiry Officer. The findings stand supported and substantiated by these statements read with the connected record Ex. RW 3/C the report of Shri Paras Ram Supervisor respondents society, Jawalamukhi, RW 4/A, applicant's T. A. bill for the month of July, 1976. Ex. RW4/C T.A. bill of the applicant for May, 1976, Ex. RW 4/B applicant's leave application for 8th and 9th July, 1976 duly sanctioned.

17. These findings on the charge sheet of attempting to get T.A. for the days of leave and absence and remaining absent from duty at Gagret Workshop

on 17th and 18th August, 1976 and from 28th July to 30th July, 1976 without sanction of the leave from Gagret Workshop are duly proved by the evidence examined in this Court also per the statements of S/Shri Kishan Chand, Pritam Singh, Amar Singh and Durga Dass (RW 1 to RW 4). They have supported these facts with reference to report Ex. RW 1/A and RW3/G, RW 4/A to RW 4/C.

18. The applicant has admitted the enquiry being held by Shri Munshi Ram (Major) and his statement recorded by him. The applicant has failed to lead any evidence to show that the charge-sheet allegations levelled against him were incorrect. He could produce the Proprietor or workers of bus body building Workshop Gagret, Shri Laskhar Singh, Adda Incharge Jawalamukhi and his own colleagues drivers and conductors regarding his presence at the duty place at Gagret. In any case admittedly he has tried to charge T.A. from the respondents society for the days of leave especially 8th and 9th July, 1976 per bill RW4/A when he was on leave as shown by application Ex. RW 4/B dated 7-7-1976.

19. For all that has been discussed above the applicant was not dismissed from service without being given opportunity to produce his defence. He was at liberty to produce the same even before this Court. This issue, therefore, is held against the applicant.

Issue No. 3:

20. For the foregoing finding on Issue No. 2 the applicant is not entitled to re-instatement or back wages.

Issue No. 4:

21. In result this reference is answered in the affirmative but the parties are left to their respective costs.

H. D. KAINTHLA.
ANNOUNCED:
April 8, 1980.

Presiding Officer,
Labour Court, H.P., Simla.

BEFORE THE PRESIDING OFFICER, LABOUR COURT, HIMACHAL PRADESH, SIMLA

CASE No. 97/78

Shri Milap Chand, Conductor son of Shri Thakar Dass, Village Dogh, P.O. Darkata, Tehsil Dehra, District Kangra Himachal Pradesh.

Versus

The Dehra Friends Co-operative Transport Society Ltd., Dehra, District Kangra, Himachal Pradesh
Respondents.

DATE OF DECISION 8-4-1980

AWARD/JUDGEMENT:

The Himachal Pradesh Government Labour Department, *vide* Notification No. 7-66 76-LEP-Shram, dated October, 30, 1978, referred this Industrial dispute for adjudication to this Labour Court with the following terms of reference—

"Whether the termination of Service of Shri Milap Chand Conductor by the Dehra Friends Co-operative Transport Society Limited, Dehra is justified and in order? If not to what relief and exact amount of compensation Shri Milap Chand Conductor is entitled to?".

2. The applicant was asked to put in this detailed claim regarding the reference. In his application dated 17-1-1978 he has shown that he was employed as a Conductor by the respondents Co-operative Society and that he was wrongly charge-sheeted by the President of the Respondents society *vide* No. 3177-DFCTS, dated 23-11-1977. That his services were terminated without conducting any enquiry. The applicant alleges that he had denied the charge and no amount was debited to the society on account of repair of the steering pipe. That termination of the applicant's services is illegal. The applicant, therefore, claims reinstatement and back wages.

3. The respondents society has contested the claim on diverse grounds. A preliminary legal objection is taken that the dispute between the Cooperative society and its employees is entreatable by the Registrar Co-operative Societies and not by an Industrial Labour Court.

4. On merits it is alleged that the applicant had forged the cash memo No. 587 dated 28-2-1977 regarding repairs of threading steering pipe of bus No. HPK 254 of Rs. 4 to Rs. 40 misappropriating Rs. 36. It is further alleged that the applicant himself admitted in writing that he paid Rs. 40 to Suneja Engineering Works, Nagrota Bagwan for the said repair. That the applicant has been rightly dismissed being a corrupt worker.

5. The following issues were framed to determine the dispute between the parties:—

- (1) whether the dispute between the parties is not covered by the Industrial Disputes Act but is within the jurisdiction of the Registrar Co-operative societies under section 72(1) (E) of the H.P. Co-operative Societies Act, 1968?OPR
- (2) Whether the applicant's services were terminated under a wrong charge-sheet dated 23-11-1977 and without conducting any inquiry ?OPP.
- (3) Whether the petitioner is entitled to re-instatement and back wages ?OPP.
- (4) Relief.

FINDINGS ON THE ISSUES

Issue No. 1:

6. This issue stands already decided for the applicant *vide* order dated 4-7-1979.

Issue No. 2:

7. Ex.RW 4/D is the charge-sheet served on the applicant for misappropriation of Rs. 36/- by changing the repair bill of Rs. 4/- into Rs. 40/- for the repair of threading steering pipe of bus No. HPK 254 on 28-2-1977. The charge-sheet also alleges that the applicant had admitted on 22-11-1977 in the presence of the President of the Respondents Society in a written statement that Rs. 40/- had been paid by him for the repair.

8. Ex. R-5, is the reply of the applicant dated 28-11-1977 to the charge-sheet issued against him. The applicant explains that it were driver Shri Karnail Singh and Conductor Des Raj who had carried out the repairs in question and brought the Bill of repair from Nagrota Bagwan for Rs. 4/- It was merely countersigned by the applicant as Adda Incharge, Jawalamukhi and submitted to the office.

9. As regards the written admission dated 22-11-1977, he states that the President of Respondents Society had said in a threatening posture if he had paid Rs. 40/- for the Bill and at the same time a paper and pen was handed over to him with the direction that he should write down as the Accountant says. Accordingly the applicant wrote down whatever was dictated by the Accountant under the undue influence of the President of the respondents society. This charge of Rs. 4/- into Rs. 40/- might have been done by the office people. The applicant is not in the know of it. He denies to have misappropriated any money and that in the society account only Rs. 4/- have been accounted for.

10. Ex.R-5 is the writing dated 22-11-1977 whereunder the applicant has given in writing that Rs. 40/- payment for repairs to M/s Suneja Engineering Works Nagrota Bagwan for Bus No. HPK 254 on 28-2-1977 was done by him and he had rendered its account to Shri Dhani Ram.

11. Ex.R-6 is the duplicate bill for the repair in question dated 28-2-1977 for Rs. 4/- while Ex.RW-1/A is the original bill wherein a dot is there with the figure 4 giving an impression of the amount of Rs. 40/-.

12. Ex.RW-4/B, is the note of Shri Dhani Ram that the applicant has rendered the account of Rs. 40/- for Bill No. 527 regarding Bus No. HPK 254 Ex.RW 4/C is

the note of Shri Karnail Singh, Driver that the payment for the repair in question was done by Shri Milap Chand.

13. Shri Dani Ram (RW 1) stated that he received the bill RW-1/A from the applicant and was sent to Hoshiarpur along with other bills which were to be paid and accounted for at the society office at Jawalamukhi.

14. Shri Pritam Singh (RW 2) Store-keeper of the respondents society at Hoshiarpur states that he received the bill Ex.RW 1/A along with other bills. The suspicion arose about the amount of the Bill being 4/- or 40/- when compared with the list attached showing the nature of the job and the amount. So he sent this bill for verification to the Head Office with a letter.

15. Shri Suresh Suneja Proprietor, Suneja Engineering Works, Nagrota Bagwan (RW-3) has verified the Bill in question for Rs. 4/- only.

16. Shri Mohinder Singh (RW 4), the President of the respondents society had taken note of the bill in question of receipt from Hoshiarpur having been sent by Shri Pritam Singh, Store-keeper. He collected the duplicate bill from Nagrota Bagwan which was only for Rs.4. Thereafter he put the matter to the applicant who admitted in writing that Rs. 40 have been paid for this Bill by him per Ex.RW 4/A.

17. Shri Mohinder Singh further states that when the duplicate bill for Rs. 4 Ex.R-6 was put to the applicant he simply kept quiet. Thereafter the applicant was charge-sheeted. Then the whole matter was considered by the Management and the applicant had been asked to produce evidence if he wanted when the matter was enquired into.

18. In cross-examination the witness stated that the applicant had received Rs. 40 for the Bill from Adda Incharge, Shri Dhani Ram but Shri Dhani Ram (RW 1) has not stated in so many words. He simply stated about the presenting of the Bill to him.

19. The applicant confronted the witness Shri Mohinder Singh (RW 4) with the entry, of certain bills, made by him in his own register per copy marked 'X' wherein the bill in question is shown recorded for Rs. 4. But this Register as kept, is of no worth at all because it is the applicant's own register kept by him for his own purpose without the directions on the part of the respondents society. This register is not kept in regular course. In fact only there are entries on few pages on either side of the Register without any pages marked. Moreover this register had not been shown to the respondents management when the applicant was served with the charge-sheet.

20. As against the above evidence led by the respondents society, the applicant has merely made his own statement in evidence to show that the allegations against him regarding the misappropriation were wrong and no enquiry was conducted. The applicant (PW1) has stated that he had got repaired Bus No. HPK-254, in February, 1977 as Adda Incharge at Jawalamukhi. He had made payment of Rs. 4 for the Bill from a Mistry in that behalf but in the office at Jawalamukhi Shri Mohinder Singh, President along with Shri Dhani Ram Adda Incharge asked him to change Rs. 4 to Rs.40 in the bill and the same was sent to Hoshiarpur by the office. Here it is interesting to note that this is a new story introduced now by the applicant which was not there in the written reply given by him per Ex.R-5 dated 28-11-1977 which gives altogether a different version that he had not got done himself the repairs but it were Driver Karnail Singh and Conductor Des Raj who had got done the repair work.

21. The applicant further states that no charge-sheet was given to him nor any enquiry held before his termination. He alleges that there were two factions in the society management and he had been victimised. It appears that the applicant is out to say anything which gives a bad name to the respondents society and saves his skin.

22. I find from the statement of Shri Mohinder Singh (RW 4) that the Management had not conducted the enquiry in a regular manner according to any set

procedure against the applicant but by the evidence produced on the record of this case. I am satisfied that there was clearly a clever attempt on the part of the applicant to misappropriate respondents-employers money of Rs.36 with reference to the repair bill RW 1/A. This was a serious misconduct on his part and was indicative of the fact that the applicant was not a dependable worker for the respondents society which was running a small transport business. Therefore they were justified in terminating the applicants services.

23. The end result is, that the Issue No. 2 is held against the applicant.

Issue No. 3

24. In face of the finding of Issue No. 2 the applicant is neither entitled to re-instatement nor for back wages.

25. This reference is answered in the affirmative and parties are left to their own costs.

H. D. KAINTHLA,
ANNOUNCED: Presiding Officer,
Dated 8th April, 1980. Labour Court, H.P., Simla.

BEFORE THE PRESIDING OFFICER, LABOUR COURT, HIMACHAL PRADESH, SIMLA

CASE No. 96/78

Shri Maru Ram son of Shri Khushi Ram resident of village Koi, P.O. Kasba Kotla, Tehsil Dehra, District Kangra, Himachal Pradesh. *Applicant.*

Versus

The Dehra Friends Co-operative Transport Society Ltd., Dehra. *Respondents.*

Date of Decision: 8-4-1980

AWARD/JUDGEMENT

The applicant was employed as Conductor by the Respondents Dehra Friends Co-operative Transport Society Ltd., Dehra. He joined the respondents society as Conductor in 1969 and his services came to be terminated on 14-3-1976. He contends that his services were terminated without issuing any show cause notice or assigning any reason. Conductors junior to him were kept in service. For reason of excess of the staff junior persons should have been terminated.

2. The applicant approached the Labour Department for vindicating his illegal termination but reconciliation proceedings did not resolve the dispute. Further on he says that his services were terminated on 30-3-1976.

3. The Himachal Pradesh Government through Labour Department has referred the dispute as under to this Labour Court under section 7 of the Industrial Dispute Act, 1947 (I.D. Act):—

“Whether the termination of services of Shri Maru Ram Conductor, by the Dehra Friends Co-operative Transport Society Limited, Dehra is justified and in order? If not to what relief and exact amount of compensation Shri Maru Ram Conductor, is entitled to?”.

4. A preliminary objection regarding the jurisdiction of the Labour Court to entertain this dispute between the co-operative society and its employee was raised.

5. The respondents society have further stated in their written statement that the applicant failed to perform his duties honestly and was caught many a time by the Checker in “TANKA”. He was warned so many times but of no avail. That the applicant had received injuries on his arms in an accident in 1972 and thereafter was put on light duty as Booking Clerk but there also he did not perform the duties well and he was asked to join as Conductor which he declined.

6. On the respective contentions of the parties, the following issues were framed:—

(1) Whether the dispute between the parties is not covered by the Industrial Dispute Act but is

within the jurisdiction of the Registrar Co-operative Societies under section 72(1)(e) of the Himachal Pradesh Co-operative Societies Act, 1968? OPP

- (2) Whether the applicant's services were terminated wrongly and illegally without following the procedure of natural justice of hearing him? OPP
- (3) Whether junior persons to the applicant were not terminated when the petitioner's services were terminated? OPP
- (4) Whether the applicant is entitled to re-instatement and back wages.
- (5) Relief.

FINDINGS ON ISSUES

Issue No. 1

7. This issue was decided for the applicant *vide* order dated 4-7-1979.

Issue Nos. 2 and 3

8. The applicant questions the legality of the termination of his services as Conductor of the Respondents society. His grievance as made out in para 3 of his claim petition is that he was terminated from service without issuing any show-cause notice and without assigning any reason. Further contention raised is that Conductors much junior to him were kept in service.

9. I do not think that any of these contentions have any force. The services of the applicant came to be terminated per notice Ex.A-1 dated 29-12-1975 and the order dispensing with the service is Ex A-2 dated 29-3-1976. Ex.A-1 is one month's notice dated 29-12-1975 addressed to the applicant that the Society is undergoing loss and the applicant's services have been decided to be terminated on the expiry of one month's notice from the date of service of the same.

10. Ex.A-2 is the order of removal of the applicant from service dated 29/30-3-1976 that his services were no longer needed as there is surplus staff with the respondents society.

11. It is clear from the contents of Ex.A-1 and Ex.A-2 that the applicant was removed from service by way of retrenchment and not by way of punishment under any disciplinary proceedings. He has been given one month's notice. There was no necessity to issuing any more show-cause notice or assigning any more reasons than disclosed in Ex.A-1 and Ex.A-2.

12. The evidence led by the respondents of embasslement incidents committed by the applicant per Ex.RW 1/A to RW 1/L relating to the period between 1969 and 1970 is irrelevant and misdirected attempt.

12. The applicant has failed to show that any junior conductor was retained in service by the Respondents society when he was discharged from the service. He has not pleaded any other ground attacking the retrenchment order passed by the respondents and served on him. Therefore, I do not find any illegality in the termination of applicant's services. So these two issues go against the applicant.

Issue No. 4

13. From the above findings on issue Nos. 2 and 3 it cannot be said that applicant's service termination is unjustified and not in order. Therefore, the applicant cannot be held entitled to re-instatement and back wages.

Issue No. 5

14. In result the applicant's claim fails and the reference dated 30th October, 1978 made to this Court is answered accordingly against the applicant. However, I leave the parties to their respective costs.

H. D. KAINTHLA,
Presiding Officer,

ANNOUNCED: Labour Court, H.P., Simla.
Dated Simla: the 8th April, 1980.

BEFORE THE PRESIDING OFFICER LABOUR COURT, HIMACHAL PRADESH, SIMLA-I

CASE No. 98 of 1978

Shri Rasal Chand Conductor son of Shri Sudama Ram, Village and P.O. Dharampur via Talwara, Tehsil Dasuya, District Hoshiarpur *Applicant*.

Versus

Dehra Friends Co-operative Transport Society Limited, Dehra *Respondent*.

DATE OF DECISION 8-4-1980

AWARD/JUDGEMENT

Himachal Pradesh Government through Labour Department has referred this Industrial Dispute under Section 12(5) of the Industrial Dispute Act, 1947 (I.D. Act) for adjudication to this Court as under:—

“Whether the termination of services of Shri Rasal Chand, Conductor, by the Dehra Friends Co-operative Transport Society Limited, Dehra is justified and in order? If not to what relief and exact amount of compensation Shri Rasal Chand Conductor, is entitled to?”.

2. The applicant was asked to put in his claim petition with regard to this reference made by the Government in his case. The applicant contends that he had joined the respondents society about 11 years back as Conductor. That his services were terminated on 28-2-1976 without assigning any reason and no show-cause notice was served upon him by the Management. He further contends that Conductors much junior to him were retained by the Respondent society when he was removed from service. Therefore he claims re-instatement and back wages with benefit of increments, etc.

3. The preliminary objection regarding jurisdiction of the Labour Court to entertain this dispute between the co-operative society and its employees was raised.

4. The respondents have further contested the applicant's claim alleging that the applicant never discharged his duties honestly and was caught red handed so many times by the Checkers in “TANKA”. That the applicant himself resigned as conductor and accordingly on acceptance of his resignation he was discharged from service on 28-2-1976.

5. The following issues have been formulated to settle the controversy between the parties:—

- (1) Whether the dispute between the parties is not covered by the Industrial Dispute Act but is within the jurisdiction of the Registrar Co-operative Societies under section 72(1) (e) of the H.P. Co-operative Societies Act, 1968? OPR
- (2) Whether the services of the applicant were terminated on 28-2-1976 wrongly and junior conductors than the applicant were allowed to continue in service? OPP
- (3) Whether the applicant resigned himself the services which was accepted *vide* resolution dated 28-2-1976 by the respondents? OPR
- (4) Whether the petitioner is entitled to reinstatement and back wages? OPP.

FINDINGS ON ISSUES

Issue No. 1

6. This issue was decided in favour of the applicant *vide* order dated 4-7-1979.

Issue No. 2

7. Ex.A-1 is the notice dated 29-12-1975 served upon the applicant that the Management has decided to terminate his services on the expiry of one month from the date of the service of the notice as the Society was undergoing loss and his services were no longer required. Ex. RW.1/A, is the resolution dated 21-12-1975 of the Management for dispensing with the services of the surplus staff due to the loss being incurred by the Respondents society. Therefore the services of the applicant were terminated from 28-2-1976

by way of retrenchment and not as a measure of punishment under any disciplinary action taken against him. So the applicant's contention that no charge-sheet was given or enquiry held against him for his removal from service is mis-directed. Equally misdirected is the attempt on the part of the respondents society to lead evidence of misconduct committed by the applicant in the year, 1969-70 per copies Ex.R-2 and R-3, Ex.RW.2/A, to Ex. RW.2/H.

8. The applicant has not alleged anything against the retrenchment effected by the respondents. He speaks about outstanding dues from the respondents society but these relate to gratuity, bonus, security and salary etc., per Ex. R-1 and not to retrenchment compensation.

9. The applicant has further failed to prove by any evidence whatsoever that any junior conductor was retained when his services came to be terminated.

10. Hence it is clear from the above that services of the applicant were not terminated wrongly nor any junior Conductors to him were allowed to continue in service. The issue is thus held for the Respondent.

Issue No. 3

11. The respondents side has failed to show that the applicant had resigned himself and the same resignation was accepted *vide* resolution dated 28-2-1976 by the Respondents. So this issue goes against the Respondents.

Issue No. 4

12. In view of the finding under Issue No. 2 above the applicant is not entitled to reinstatement or back wages. Any how the parties are left to bear their respective costs.

H. D. KAINTHLA,

ANNOUNCED: *Presiding Officer,*
Dated Simla, the 8th April, 1980. *Labour Court H.P.,*
Simla.

BEFORE THE PRESIDING OFFICER, LABOUR COURT HIMACHAL PRADESH, SIMLA

CASE No. 100/78

Shri Mehar Singh, Conductor, village Chowki, P.O. Jol Sappar, Tehsil and District Hamirpur, H.P. *Applicant.*

Versus

The Dehra Friends Co-operative Transport Society Ltd., Dehra *Respondent.*

DATE OF DECISION-8-4-1980

AWARD/JUDGEMENT

Vide Notification No. 7-66/76-LEP-Shram, dated October 30, 1978, Himachal Pradesh Government through Labour Department has referred this Industrial Dispute under section 12(5) of the Industrial Dispute Act, 1957 (I.D. Act), for adjudication to this Court as under:—

“Whether the termination of services of Shri Mehar Singh Conductor by the Dehra Friends Co-operative Transport Society Limited, Dehra is justified and in order? If not to what relief and exact amount of compensation Shri Mehar Singh, Conductor is entitled to?”.

2. The applicant was asked to put in his claim petition with regard to this reference made by the Government in his case. The applicant contends that he had joined the respondents society in 1972 as Conductor. The applicant was served a notice along with other workers on 30-12-1975 which was withdrawn. That at that very time he had applied for medical leave but he was removed from service on 5-1-1976. That his services were terminated on 5-1-1976 without assigning any reason and no show-cause notice was served upon him by the Management. Therefore, he claims re-instatement and back wages with benefit of increments etc.

3. The preliminary objection regarding jurisdiction of the Labour Court to entertain this dispute between the co-operative society and its employee was raised.

4. The respondents have further contested the applicant's claim alleging that the applicant never discharged his duties honestly and was caught red-handed so many times by the Checkers in 'TANKA'. That the applicant himself absented from duty after 5-1-1976 and never attended thereafter. The charge-sheet was framed but could not be followed up for absence of the applicant.

5. The parties joined the following issues for settling the dispute raised in this reference:—

- (1) Whether the dispute between the parties is not covered by the Industrial Dispute Act but is within the jurisdiction of the Registrar (Co-operative Societies) under section 72(1) (E) of the H.P. Co-operative Societies Act, 1968? OPR.
- (2) Whether the petitioner's service were terminated illegally on 5-1-1976? OPP
- (3) Whether the applicant was charge sheeted on 28-12-1975 and thereafter did not join the duties with effect from 5-1-1976 himself? OPR
- (4) Whether the applicant is entitled to reinstatement and back wages? OPP
- (5) Relief.

FINDINGS ON ISSUES

Issue No. 1

5. Issue No. 1, already stands decided for the applicant per order dated 4-7-1979.

Issue Nos. 2 and 3

6. These two issues cover the same ground, so they have been taken together for discussion and decision.

7. Ex.A-1 dated 30-12-1975 is the copy of the notice of dispensing with the services of the applicant after one month of its service. But this notice is admitted to have been withdrawn.

8. Thereafter according to the respondents, the applicant went on short leave upto 5-1-1976 but did not turn up thereafter to attend the duties. So the applicant left the service himself. That the charge-sheet could not be served and followed up as the applicant abandoned the service.

9. As against this the applicant contends per his application that after 30-12-1975 he was on medical leave but he was treated absent from duty and terminated with effect from 5-1-1976.

10. In his statement in evidence made by the applicant, it is stated that on 5-1-1976 he applied for leave and when he returned from leave he was told not to join duty as he had been marked absent. That thereafter neither any charge-sheet was served nor any enquiry was held against him. He also alleged that no account settlement was done with him.

11. This statement of the applicant is vague in the extreme. He does not disclose for what period he had gone on leave and when he returned from leave. There is none to corroborate the story of this leave. The so-called medical evidence goes against the version of the applicant.

12. The applicant in cross-examination stated that he had applied for 5 days leave on 5-1-1976 and the application was forwarded through Shri Milap Singh Bus Stand Incharge, Jawalamukhi and given in the office of the Accountant by him. But neither Milap Singh nor the Accountant have been examined by him. Then he goes on to say that he was on medical leave for about one month which was not granted. He claims to have produced medical report from Dr. Raghbir Singh to the Accountant in the office. He did not obtain receipt either for the application given to the Accountant or for the medical report. Then he further turns round and states in cross-examination statement that this medical leave was for the month of December.

13. The applicant produced PW 2 one Shri Sohan Lal a Registered Medical Practitioner who testified that the applicant remained in his treatment from 8-11-1975 to 8-12-1975. He says that he does not keep register for medical certificates issued for out-door patients like the applicant. The applicant instead of producing Dr. Raghbir examined in evidence Shri Sohan Lal.

14. Thus the story of availing medical leave by the applicant stands falsified by his own evidence. Therefore, the contention of the respondents is correct that the applicant left the service after 5-1-1976, himself.

15. From the above it is clear that applicants services were not terminated (illegally) on 5-1-1976 but he had himself left the service. The respondents have failed to lead evidence of charge-sheeting the applicant on 28-12-1975. They have un-necessarily led evidence of Ex. R-1 to R-7 pertaining to the misappropriation of society's money recovered from the bus passengers as fare in the context of the issues in the case. Hence these two issues are found in favour of the respondents except the charge-sheeting part dated 28-12-1975.

Issue No. 4

For the findings under Issue Nos. 2 and 3 the applicant is not entitled to either reinstatement or back wages.

Issue No. 5

The reference is answered as shown above against the applicant but the parties are to bear the costs as incurred by them.

H. D. KAINTHLA,
Presiding Officer,
Labour Court, H.P., Simla.

ANNOUNCED:
Dated 8th April, 1980.

आदेश द्वारा
हस्ताक्षरित

PUBLIC WORKS DEPARTMENT

SECTION 'A'

NOTIFICATION

Simla -171002, the 2nd March, 1981

No. 1-49/69-PW'A'-VOL-V.—The Governor, Himachal Pradesh on the recommendation of the Himachal Pradesh Public Service Commission is pleased to appoint the following candidates as Assistant Engineers (Civil/Mechanical/Electrical) (Class-II Gazetted) in the pay scale of Rs. 400-30-700/40-1100 with effect from the date of their taking over the charge of the posts as shown below. Their appointments as Assistant Engineers are subject to the conditions laid down

in their offers of appointments which they have accepted while joining their posts:—

Sr. No.	Name of Candidate	Date of Joining as, A.E.	Station of posting
1	2	3	4.

ASSISTANT ENGINEERS (CIVIL)

1. Sh. Parvez Akhtar	10-6-1980	A.E. (D)IPH, Circle, Kalpa.
2. Sh. Ranjit Singh Chaudhry	1-5-1980	A.E. (D)9th Circle Nurpu
3. Sh. Kewal Krishan Kashyap	19-6-1980	A.E. (D)IPH 7th Circle Dalhousie.
4. Sh. Amar Nath	3-7-1980	B&R, Sub-Division Durgethi.
5. Sh. Arunesh Kumar Sharma	27-10-1980	A.E. (D)IPH Headquarters Office, Simla
6. Sh. Kewal Krishan	10-11-1980	A.E. (D)Headquarters Office, Simla.
7. Sh. Dalip Kumar Nayar	31-10-1980	A.E. (D) Tribal Circle, Kulu.
8. Sh. Anil Kumar Sharma	14-11-1980	A.E. (D)Headquarters Office, Simla.
9. Sh. Prithi Chand Pala	27-10-1980	A.E. (D) Headqurters Office, Simla.
10. Sh. Rakesh Jain	22-12-1980	A.E. Traffic Engineering Cell, Simla.
11. Sh. Subhash Chand Katoch	30-10-1980	A.E. (D) 5th Circle Dharamsala.
12. Sh. Naveen Kumar Malhotra	30-10-1980	A.E. (D) P&D Unit, Simla.
13. Sh. Tek Singh Thakur	30-10-1980	A.E. (D) 6th Circle, Kulu.
14. Sh. Jeet Singh	4-11-1980	A.E. (D) 3rd Circle, Solan.
15. Sh. Ashwani Kumar Gupta	29-12-1980	E.O. 9th Circle, Nurpur.
16. Sh. Naresh Sharma	8-12-1980	A.E. Vidhan Sabha, Simla.
17. Sh. Vijay Kumar Kapoor	20-12-1980	A.E. (D)9th Circle, Nurpur.

ASSISTANT ENGINEERS(MECHANICAL)

1. Sh. Surya Kant Chadha	2-6-1980	A.E. (Mechanical Division Pooh.
2. Sh. Om Prakash Anand	2-6-1980	A.E. (Mechanical Sub-Division Kaza.
3. Sh. Divesh Sharma	8-9-1980	A.E. Mechanical Sub--Division, No. I Karcham.

ASSISTANT ENGINEERS (ELECTRICAL)

1.. Sh. Shyam Lal	3-9-1979	A.E. (Elect.) Electrical Sub-Div. Hamirpur.
2. Sh. Mela Ram	5-2-1980	A.E. (Elet.) Electrical Sub-Division Chamba.
3. Sh. Dilwar Chand	23-2-1980	A.E. (Elect.) Electrical Sub-Division, Mandi.
4. Sh. Bhartendu Kapoor	26-2-1980	A.E. (Elect.) Electrical Sub-Division, Delhi.

By order,
H. C. MALHOTRA,
Secretary.

भाग 2—वैधानिक नियमों को छोड़ कर विभिन्न विभागों के अध्यक्षों और जिला मंजिस्ट्रेटों द्वारा अधिसूचनाएं इत्यादि

कार्यालय जिला खाय एवं आपूर्ति विभाग विलासपुर

अधिसूचना

विलासपुर, 16 फरवरी, 1981

नं० एक० डी० एस० वि०-११५३-८१-पिछले सभी आदेशों का अधिकरण करने हुए तथा हिमाचल प्रदेश जमाखोरी व मुनाकाखांडी विरोधी आदेश, 1977 की धारा ३ (१) (डी०) में प्रदत्त शक्तियों का प्रयोग करने हुये तथा मन्त्रिव खाय एवं आपूर्ति द्वारा जारी की गई अधिसूचना, नं० एक० डी० एस० वि० ०/२/७७, दिनांक ३०-१०-८० के अनुसार और निदेशक खाल एवं आपूर्ति द्वारा पत्र नं० एक० डी० एस० (एक०) (१२) ९/७७-३२८६ ५-७६ दिनांक १२-१२-८० के निदेशों को ध्यान में रखते हुए, मैं अभ्यय शुक्ला, आई० ए० एस० जिला दण्डाधिकारी, विलासपुर हिमाचल प्रदेश नियन्त्रित उपमोक्ता वस्तुओं पर अधिकतम लाभ की सीमा जो कि विलासपुर जिला थोक व प्रचून व्यापारियों द्वारा लेने का नियंत्रण निम्न प्रकार करता है।

थोक लाभांश

परचून लाभांश

1. फँडप्रेन (गंदम, चने, जी, चावल, तथा मक्की व इन से बने पदार्थ) २ प्रतिशत	4 प्रतिशत	परचून लाभांश	थोक लाभांश	परचून लाभांश
2. जैव ६ प्रतिशत	8 प्रतिशत	परचून लाभांश	थोक लाभांश	परचून लाभांश
3. गुड, शक्कर व बांडमारी २ प्रतिशत	6 प्रतिशत	थोक लाभांश	परचून लाभांश	परचून लाभांश
व चीनी ।	6 प्रतिशत	थोक लाभांश	परचून लाभांश	परचून लाभांश
		स्टेक कोल ।		परचून लाभांश
		लिक्यूफाइट पैट्रोलियमज गैस ।	१२. लिक्यूफाइट पैट्रोलियमज गैस ।	१२. लिक्यूफाइट पैट्रोलियमज गैस ।
		श्रम्यास पुस्तकें	१३. श्रम्यास पुस्तकें	१३. श्रम्यास पुस्तकें
		मोटे ऊनी कपड़े/साधारण कपड़ा ।	१४. मोटे ऊनी कपड़े/साधारण कपड़ा ।	१४. मोटे ऊनी कपड़े/साधारण कपड़ा ।
		मीट (चिकन मच्छरी)	१५. मीट (चिकन मच्छरी)	१५. मीट (चिकन मच्छरी)
		प्रतिशत	प्रतिशत	प्रतिशत
				११ प्रतिशत
				५ प्रतिशत
				५ प्रतिशत
				५ प्रतिशत
				४ प्रतिशत
				४ प्रतिशत
				७ ½ प्रतिशत
				७ ½ प्रतिशत
				७ ½ प्रतिशत

16. पका हुआ खाना (जो कि नगरालिका अधिकारीय समिति के खांडों के होटलों रेस्टोरेंटों व डार्बों में दिया जाता है)।

17. श्रेष्ठ 2 प्रतिशत
18. ताजा सब्जी व फल 2 प्रतिशत

आवश्यक टिप्पणियाँ—

1. उपरोक्त लाभांश की मात्रा सभी खर्चों पर लागू होगी जैसे की खरीद, कीमत, किराया चुंगी केंद्रीय विक्री की स्थानीय विक्री कर चढ़ाई उत्तराई तथा अन्य खर्च जो व्यापारी से सही तौर पर खर्च हैं।

2. यदि व्यापारी थोक व परचून दोनों ही व्यापार इकट्ठा करते हैं तो उसे थोक विक्री में थोक लाभांश तथा परचून विक्री के समय परचून लाभांश लेना होगा।

3. सभी थोक व परचून व्यापारी हर माल की विक्री के उपरान्त बीजक/कैश मीमों में काटेंगे।

4. उपरोक्त लाभांश की मात्रा के इलावा थोक व्यापारी को एक प्रतिशत लगाई गई रकम पर व्याज तथा आधा प्रतिशत वस्तुओं में कमी दी जाती है और परचून व्यापारी एक एक प्रतिशत कमी व्याज ले सकता है। गुड-शक्कर की परचून विक्री पर कमी व्याज से लाभांश लेना होगा।

2 प्रतिशत होगा तथा बनस्पति धी पर कमी व व्याज किसी भी व्यापारी को नहीं दिया जायेगा।

5. थोक व्यापारी उसे समझा जायेगा जो कि एक विकल से अधिक मात्रा में एक समय पर एक वस्तु की विक्री करेगा तथा दोनों की दशा में वह 16 किलोग्राम या उससे अधिक मात्रा, एक समय में बेचता है।

6. कोई भी थोक व्यापारी दूसरे थोक व्यापारी को एक क्षेत्र में (एक शहर या गांव) में थोक मात्रा में माल की विक्री नहीं कर सकता है।

7. निर्माताओं द्वारा निर्धारित कीमतों व जिला दण्डाधिकारी द्वारा निर्धारित कीमतों पर उपरोक्त टिप्पणी नं 04 लागू नहीं होगी। यह आदेश पूरे बिलासपुर में तुरन्त लागू हो जायेगा।

कार्यालय जिला दण्डाधिकारी, सोलन जिला सोलन
अधिसूचना
सोलन, 12 फरवरी, 1981

संख्या: जि 0 नि 0 सी 0 एस 0/81-1143-1206.—पिछले सभी आदेशों के अधिकरण करते हुए (मिट्टी तेल) (फिलेशन आफ

सीलिंग प्राईस) आदेश 1970 की धारा 3 के अन्तर्गत मर्व श्री तुला राम राकेश कुमार तथा मिरीपल तिहाल चन्द्र सोलन मिट्टी तेल थोक विक्री के मिट्टी तेल के दरों को निर्धारित करने हुए, मैं सुनिता मुखर्जी, जिला दण्डाधिकारी, सोलन, हिमाचल प्रदेश यह आदेश करती है कि कोई भी मिट्टी तेल का थोक व परचून विक्री निम्न निर्धारित दर से अधिक दर पर मिट्टी तेल नहीं बेच सकता है।

सर्वं श्री तुला राम राकेश कुमार, सोलन

क्रमांक	स्थान	थोक मूल्य प्रति लीटर विना प्रति लीटर विक्री करने के महिने व वर्ष वर्षीय सहित	परचून मूल्य प्रति लीटर विना प्रति लीटर विक्री करने के महिने व वर्ष वर्षीय सहित
1	सोलन	1.66	1.83
2	सर्वश्री मिरी मल निहाल चन्द्र, सोलन	1.66	1.83
3	स्पाट	1.64	1.81
4	कस्तीली	1.65	1.82
5	अर्की	1.70	1.88
6	धर्मपूर	1.62	1.79
7	कण्डाघाट	1.65	1.82
8	नालागढ़	1.64	1.81
	कुनिहार	1.65	1.82

उपरोक्त प्रदर्शन दर सभी प्रकार के कर, चूंगी किराया तथा करमीन सहित है।

उपरलिखित स्थानों के इलावा यव्य स्थानों के दुकानदार केवल नजदीकी थोक केवल से परचून केवल तक का वास्तविक किराया तथा मजदूरी जो सन्दर्भित उप मण्डलाधिकारी/तहसीलदार में अनुमोदित हो सकते हैं।

प्रत्येक मिट्टी तेल का व्यापारी मिट्टी तेल की खरीद व विक्री का पूरा पूरा हिमाचल किलाव खेता यदि कोई दुकानदार उक्त आदेशों का उल्लंघन करता हुआ पाया गया तो उसके विरुद्ध आवश्यक वस्तु अधिकरण, 1955 (10 अप्रैल 1955) की धारा 7 के अन्तर्गत कार्यालयी की जायेगी।

विक्री की थोक मात्रा 18.5 लीटर या इस से अधिक मात्रा जायेगी।

यह आदेश सोलन जिला में तुरन्त लागू माना जायेगा।

सुनिता मुखर्जी,
जिला दण्डाधिकारी।

EXCISE & TAXATION DEPARTMENT

NOTIFICATION
Dharamsala, 4th April, 1981

No. KAN-STC (221)/80-81-3260.—It is notified for the information of all concerned that the registration certificate issued under the Himachal Pradesh General Sales Tax Act, 1968/Central Sales Tax Act, 1956 of the following dealers have been cancelled w.e.f. The dates mentioned against each:—

Sr.No.	Name of the dealer and address	R.C. No. KAN-IV/CST	Date of cancellation	Remarks
1.	M/S Himachal Body Builder, Damtal, Nurpur	3669/2066	10-4-80	Business closed.
2.	M/S Himalya Vashno Hotel/Dhaba, Dharamsala	2166	1-1-78	-do-
3.	M/S Sangam Enterprises, Palampur	4400/2602	15-11-80	-do-
4.	M/S Punjab Shoe, Kangra	3235/1447	31-3-80	-do-
5.	M/S Som Raj Mahajan & co., Damtal, Teh. Nurpur	3582/1791	31-3-80	-do-
6.	M/S Kamal Kant Ashok Kumar, Sakoh. Teh & Distt. Kangra	3863/2059	22-9-79	-do-
7.	M/S Brij & co. Damtal, Teh. Nurpur	3740/1939	31-3-80	-do-
8.	M/S Narinder Kumar Mahajan, Damtal, Teh. Nurpur	3906/2099	17-7-80	-do-
9.	M/S Rishi Ram & Sons, Sansarpur Terri, Teh. Dehra(H.P.)	3850/2049	31-3-80	-do-

Sd/-
Excise and Taxation Officer,
Kangra at Dharamsala.

लोक निर्माण विभाग

अधिसूचना

शिमला-3, 1 नवम्बर, 1980

नम्बर एस 0 ई-0-II-आर-54-1/80-14725-28.—जबकि हिमाचल प्रदेश के राज्यपाल को ऐसा प्रतीत होता है कि हिमाचल प्रदेश राज्य सरकार को सार्वजनिक प्रयोजन के लिए शासन व्यय पर मेलठ-कवीनल मार्ग निर्माण हेतु भूमि को आवश्यकता है इस लिए अधिसूचना जारी की जाती है कि इस भूमि को निम्नलिखित स्थान में उपरोक्त प्रयोजनार्थ भूमि अर्जित किए जाने की सम्भावना है।

यह अधिसूचना सभी सम्बन्धित व्यक्तियों को भूमि अर्जित किए भू-अर्जन अधिनियम 1894 की धारा 4 के अन्तर्गत जारी की जाती है।

पुर्वोक्त धारा के अन्तर्गत प्रदत्त शक्तियों के आधार पर हिमाचल प्रदेश के राज्यपाल उन अधिकारियों, कर्मचारियों, कामगारों को जो इस कार्य में अभियोजित हैं को प्रधिकृत करते हैं कि वह इस स्थान व भूमि में प्रवेश हो कर भू-व्यवस्था प्रौद्योगिकी काम जिनकी आवश्यकता हो उपरोक्त धारा के अनुसार यदि किसी सम्बन्धित व्यक्ति को इस स्थान भू-अर्जन करने के विषय में कोई आपत्ति हो तो वह उस अधिसूचना के प्रकाशन के 30 दिन के भीतर भू-अर्जन अधिकारी शिमला-2 के सम्मुख आपत्ति निम्नलिखित रूप में प्रस्तुत कर सकते हैं।

जिला: शिमला

तहसील: कोटखाई

गांव	खसरा नं०	क्षेत्र
1	2	विधा विस्वा
दाला	70	0 8
	110	0 2
	79	1 10
	93	0 8
	94	1 4
	63	0 15
	78	1 14
	80	0 13
	81	4 13
	92	3 11
	95	2 19
	96	2 0
	97	2 13
97/1	2 1	
	103	0 3
	113	5 7
	72	4 4
	73	0 3
	75	0 9
	76	2 5
	89	3 17
	68	2 14
	101	5 13
137/104	0 3	
138/104	0 3	
131/100	2 10	
130/99	5 0	
111	3 10	
139/104	4 16	
104/1	3 10	
113/1	4 0	
71	20 11	
77	3 2	
131/99	8 18	
132/100	4 3	

	1	2	3	4
		102	24	0
		98	10	1
		111/1	2	16
		112	6	5
		117/1	5	7
किता ..		40	158	1

बनवारी लाल शर्मा,
अधिक्षण अभियन्ता,
द्वितीय वृत्त लोक निर्माण विभाग,
शिमला-3

राजस्व विभाग

अधिसूचना

शिमला-3, 23 फरवरी, 1981

सं 0 एस 0 ई-0-II-आर-54-1/80-2426-29.—जबकि हिमाचल प्रदेश के राज्यपाल को यह प्रतीत होता है कि सरकार द्वारा सार्वजनिक प्रयोग-जनार्थ नोरा वंधाल चीरा मार्ग के निर्माण के लिए सार्वजनिक व्यय पर भूमि ली जानी अपेक्षित है एवं द्वारा यह वो विधियां किया जाता है कि नीचे विनियोग में वाणित भूमि उपायकृत प्रयोजन के लिए अपेक्षित है।

भूमि अर्जन अधिनियम 1894 की धारा 5 के उपबन्धों के अधीन सभी सम्बन्धित व्यक्तियों को यह धोषणा की जाती है तथा उक्त अधिनियम की धारा 7 के उपबन्धों के अधीन भू-अर्जन समाहर्ता हिमाचल प्रदेश लोक निर्माण विभाग द्वारा उक्त भूमि के अर्जन के लिए आदेश लेने का निर्देश दिया जाता है।

भूमि की रेखा कृति का निरीक्षण भू-अर्जन समाहर्ता, हिमाचल प्रदेश लोक निर्माण विभाग के कार्यालय शिमला-2 में किया जा सकता है जिला: शिमला तहसील: कोटखाई

गांव	खसरा नं०	क्षेत्र
1	2	वीधा विस्वा
खराला	110/1	0 6
	112/2	0 9
	132/1	1 8
	130/1	5 17
	130/2	2 5
	136/1	1 17
किता 6		12 2

बनवारी लाल शर्मा,
अधिक्षण अभियन्ता,
द्वितीय वृत्त, लोक निर्माण विभाग,
शिमला-3.

HIMACHAL PRADESH INSTITUTE OF PUBLIC ADMINISTRATION

Pre-Examination Coaching Centre for Scheduled Castes/
Scheduled Tribes

NOTIFICATION

Fairlawns, Simla-171012, the 4th May, 1981

No. HIPA (Trg.) 476/75.—A Pre-Examination Coaching Centre has been established at the Institute. It is proposed to enrol 30 Scheduled Castes and 10 Scheduled Tribes individuals who are bonafide residents of Himachal Pradesh to prepare them for admission tests of various Medical Colleges in the Country. Desirous candidates should fulfil the eligibility requirements prescribed for Scheduled Castes/Scheduled Tribes candidates for admission to the M.B.B.S. Course of the Himachal Pradesh Medical College, Simla. Selection for this Preparatory Course would be made on the basis of

marks obtained by the candidates in the eligibility examinations and an interview. Candidates who have appeared in their eligibility examinations but whose results have not been declared, are not eligible to apply. Selected candidates would be provided free board and lodges at the Institute's Hostel and no fee would be charged for coaching. Duration of the programme would be about two months.

Prescribed application forms can be obtained by writing to the Director, Himachal Pradesh Institute of

Public Administration, Fairlawns, Simla-171012. Last date for supply of Application Forms is May 20, 1981. Last date for receiving application forms complete in all respects is May 30, 1981.

Applicants are likely to be called for an interview sometime in the second week of June, 1981. Selected candidates will be asked to join immediately thereafter.

R. G. SOOD IAS.,
Director.

भाग 3—अधिनियम, विधेयक और विधेयकों पर प्रबंध समिति के प्रतिवेदन, वैधानिक नियम तथा हिमाचल प्रदेश के राज्यपाल, हिमाचल प्रदेश हाई कोर्ट, फाईनेंशल कमिशनर तथा कमिशनर आफ इक्सप्रेस ट्रेस द्वारा अधिसूचित आदेश इत्यादि

हिमाचल प्रदेश हाई कोर्ट

NOTIFICATION

Simla-1, the 16th April, 1981.

No. HHC/GAZ/14-61/75-III.—In exercise of the powers vested in him under Article 229 of the Constitution of India and all other powers enabling him in this behalf, the Hon'ble Chief Justice is pleased to make the following amendment, by way of addition, in the High Court of Himachal Pradesh (Recruitment, Conditions of Service and Conduct) Rules, 1975.

1. These rules may be called the High Court of Himachal Pradesh (Recruitment, Conditions of service and Conduct) (Third Amendment) Rules, 1981.

2. These shall come into force at once.

3. In the said Rules, in serial No. 6 of Schedule II clause (c) shall be added as under:—

“By direct recruitment from the candidates, including those in clauses (a) & (b) above, who are graduate and possess the minimum speed of 140 w.p.m. in English Stenography or such speed which the Hon'ble Chief Justice may prescribe from time to time.”

By order,
V. P. BHATNAGAR,
Registrar.

PERSONNEL (TRAINING) DEPARTMENT

NOTIFICATIONS

Fair Lawns, Simla-12, the 1st April, 1981

No. HIPA (Estt.)-70/75.—In exercise of the powers vested in him under proviso to Article 309 of the Constitution of India and all other powers in this behalf the Governor, Himachal Pradesh in consultation with Himachal Pradesh Public Service Commission, is pleased to make the following rules to amend the Recruitment and Promotion Rules for the post of Assistant Director notified *vide* notification of even number, dated 3-6-1975 as under:—

1. *Short title and commencement.*—(1) These rules may be called the Recruitment and Promotion Rules for the post of Assistant Director (First Amendment) Rules, 1981.

(2) These rules shall come into force at once.

2. *Amendments to the Annexure enclosed to the said rules.*—The foot notes appended to the said annexure shall be substituted by the foot notes enclosed.

ANNEXURE

Foot-Notes:

1. A candidate for appointment to any service or post must be :

- (a) a Citizen of India, or
- (b) a subject of Nepal, or
- (c) a subject of Bhutan, or
- (d) a Tibetan refugee who came over to India before the 1st January, 1962 with the intention of permanently settling in India, or
- (e) a person of Indian origin who has migrated from Pakistan, Burma, Sri Lanka, East African Countries of Kenya, Uganda, the United Republic of

Tanzania (formerly Tanganyika and Zanzibar), Zambia, Malawi, Zaire and Ethiopia with the intention of permanently settling in India:

Provided that a candidate belonging to categories (b), (c), (d) and (e) shall be a person in whose favour a certificate of eligibility has been issued by the Government of India/State Government.

A candidate in whose case a certificate of eligibility is necessary may be admitted to an examination or interview conducted by the Himachal Pradesh Public Service Commission or other recruiting authority, but the offer of appointment may be given only after the necessary eligibility certificate has been issued to him by the Government of India/Government of Himachal Pradesh.

2. Where the Government is of the opinion that it is necessary or expedient to do so, it may, by order for reasons to be recorded in writing and in consultation with the Himachal Pradesh Public Service Commission, relax any of the provisions of these rules with respect to any class or category of persons or post.

3. Upper age-limit for direct recruits will not be applicable to the candidates already in the service of the Government.

4. Upper age-limit is relaxable for [Scheduled Castes/ Tribes candidates and other categories of persons to the extent permissible under the general or special orders of the Himachal Pradesh Government.

5. Age-limit for direct recruits will be reckoned from the last date fixed for receipt of applications by the Commission.

6. Age and qualifications for direct recruits relaxable at the discretion of the Commission in the case of candidates otherwise will qualify.

7. Provisions of columns 10 and 11 are to be revised by the Government in consultation with the Commission as and when the number of posts under column 2 are increased or decreased.

8. Selection for appointment to these posts in the case of direct recruitment, shall be made on the basis of *viva voce* test, if the Commission so considers necessary or expedient by a written test, the standard/syllabus etc., of which will be determined by the Commission or a practical test.

9. In all cases where a junior person becomes eligible for consideration by virtue of his total length of service (including *ad hoc* one) in the feeder post all persons senior to him in the respective category shall be deemed to be eligible for consideration and placed above the junior persons in the field of consideration:

Provided that all incumbents to be considered for promotion/confirmation shall possess the minimum qualifying service of at least three years or that prescribed in the relevant recruitment and promotion rules for the post which ever is less:

Provided further that where a person becomes ineligible to be considered for promotion/confirmation, on account of the requirement prescribed in the preceding proviso, the person(s) junior to him shall also be deemed to be ineligible for consideration for such promotion/ confirmation.

10. The employees of all the public sector corporations and autonomous bodies who happened to be Government servant before absorption in Public Sector corporation/autonomous bodies at the time of initial constitution

of such corporations/autonomous bodies shall be allowed age-concession in direct recruitment as admissible to Government servants. This concession, will not, however, be admissible to such staff of the public sector corporations/autonomous bodies who were/are subsequently appointed by such corporations/autonomous bodies and are/were finally absorbed in the service of such corporations/autonomous bodies after the initial constitution of the public sector corporations/autonomous bodies.

11. The appointments to this service shall be subject to orders regarding reservation in the services for Scheduled Castes/Scheduled Tribes/Backward Classes issued by the Himachal Pradesh Government from time to time.

12. *Departmental Examination.*—(1) Every member of the service shall pass a departmental examination as prescribed in the Himachal Pradesh Departmental Examination Rules, 1976 failing which he shall not be eligible to:

- (a) cross the efficiency bar next due,
- (b) confirmation in the service, and
- (c) promotion to the next higher post:

Provided further that an officer for whom no departmental examination was prescribed prior to the notification of these rules and who has attained the age of 45 years on the 1st of March, 1976, shall not be required to qualify the departmental examination prescribed under these rules.

(2) An officer on promotion to a higher post in his direct line of promotion shall not be required to pass the aforesaid examination, if he has already passed the same in the lower gazetted post.

(3) The Government may in consultation with the Himachal Pradesh Public Service Commission, grant in exceptional circumstances and for reasons to be reduced in writing, exemption in accordance with the departmental examination rules, to any class or category of person from the departmental examination in whole or in part.

Fair Lawns, Simla-12, the 1st April, 1981

No. HIPA (Estd.)-152/78.—In exercise of the powers vested in him under proviso to Article 309 of the Constitution of India, and all other powers in this behalf, the Governor, Himachal Pradesh in consultation with the Himachal Pradesh Public Service Commission is pleased to make the following rules to amend the Recruitment and Promotion Rules for the post of Assistant Professors (Public Administration and Economic Administration) notified *wide* Notification of even number, dated 26-10-79 as under:—

1. *Short title and commencement.*—(1) These rules may be called the Recruitment and Promotion Rules for the Post of Assistant Professors (Public Administration and Economic Administration) (First Amendment) Rules, 1981.

(2) These rules shall come into force at once.

2. *Amendments to the Annexure enclosed to the said rules.*—The foot-notes appended to the said Annexure shall be substituted by the foot-notes enclosed.

ANNEXURE

Foot-Notes:

1. A candidate for appointment to any service or post must be:

- (a) a citizen of India, or
- (b) a subject of Nepal, or
- (c) a subject of Bhutan, or
- (d) a Tibetan refugee who came over to India before the 1st January, 1962 with the intention of permanently settling in India, or
- (e) a person of Indian origin who has migrated from Pakistan, Burma, Sri Lanka, East African countries of Kenya, Uganda, the United Republic of Tanzania (formerly Tanganyika and Zanzibar),

Zambia, Malawi, Zaire and Ethiopia with the intention of permanently settling in India:

Provided that a candidate belonging to categories (b), (c), (d) and (e) shall be a person in whose favour a certificate of eligibility has been issued by the Government of India/State Government.

A candidate in whose case a certificate of eligibility is necessary may be admitted to an examination or interview conducted by the Himachal Pradesh Public Service Commission or other recruiting authority, but the offer of appointment may be given only after the necessary eligibility certificate has been issued to him by the Government of India/Government of Himachal Pradesh.

2. Where the Government is of the opinion that it is necessary or expedient to do so, it may, by order for reasons to be recorded in writing and in consultation with the Himachal Pradesh Public Service Commission relax any of the provisions of these rules with respect to any class or category of persons or post.

3. Upper age-limit for direct recruits will not be applicable to the candidates already in the service of the Government.

4. Upper age-limit is relaxable for Scheduled Castes/Tribes candidates and other categories of persons to the extent permissible under the general or special orders of the Himachal Pradesh Government.

5. Age-limit for direct recruits will be reckoned from the last date fixed for receipt of applications by the Commission.

6. Age and qualifications for direct recruits relaxable at the discretion of the Commission in the case of candidates otherwise well-qualified.

7. Provisions of columns 10 and 11 are to be revised by the Government in consultation with the Commission as and when the number of posts under column 2 are increased or decreased.

8. Selection for appointment to these posts in the case of direct recruitment, shall be made on the basis of *viva voce* test, if the Commission so considers necessary or expedient by a written test the standard/syllabus etc. of which will be determined by the Commission or practical test.

9. In all cases where a junior person becomes eligible for consideration by virtue of his total length of service (including *ad hoc* one) in the feeder post all persons senior to him in the respective category shall be deemed to be eligible for consideration and placed above the junior persons in the field of consideration:

Provided that all incumbents to be considered for promotion/confirmation shall possess the minimum qualifying service of at least three years or that prescribed in the relevant Recruitment and Promotion Rules for the post whichever is less:

Provided further that where a person becomes ineligible to be considered for promotion/confirmation, on account of the requirement prescribed in the preceding proviso, the person(s) junior to him shall also be deemed to be ineligible for consideration for such promotion/confirmation.

10. The employees of all the public sector corporations and autonomous bodies who appended to be Government servant before absorption in public sector corporation/autonomous bodies at the time of initial constitution of such corporations/autonomous bodies shall be allowed age concession in direct recruitment as admissible to Government servants. This concession, will not, however, be admissible to such staff of the public sector corporations/autonomous bodies who were/are subsequently appointed by such corporations/autonomous bodies and are/were finally absorbed in the service of such corporations/autonomous bodies after the initial constitution of the public sector corporations/autonomous bodies.

11. The appointments to this service shall be subject to orders regarding reservation in the services for Scheduled Castes/Scheduled Tribes/Backward Classes issued by the Himachal Pradesh Government from time to time.

12. *Departmental Examination*.—(1) Every member of the service shall pass a departmental examination as prescribed in the Himachal Pradesh Departmental Examination Rules, 1976 failing which he shall not be eligible to:

- (a) cross the efficiency bar next due,
- (b) confirmation in the service, and
- (c) promotion to the next higher post:

Provided further that an officer for whom no departmental examination was prescribed prior to the notification of these rules and who has attained the age of 45 years on the 1st of March, 1976, shall not be required to qualify the departmental examination prescribed under these rules.

(2) An officer on promotion to a higher post in his direct line of promotion shall not be required to pass the aforesaid examination, if he has already passed the same in the lower gazetted post.

(3) The Government may in consultation with the Himachal Pradesh Public Service Commission, grant in exceptional circumstances and for reasons to be reduced in writing, exemption in accordance with the departmental examination rules, to any class or category of person from the departmental examination in whole or in part.

Fair Lawns, Simla-12, the 1st April, 1981

No. HIPA (Estt.)-148/77.—In exercise of the powers vested in him under proviso to Article 309 of the Constitution of India and all other powers in this behalf, the Governor, Himachal Pradesh in consultation with Himachal Pradesh Public Service Commission, is pleased to amend the Recruitment and Promotion Rules for the post of Assistant Director (Financial Administration) as notified *vide* notification of even number, dated 22-11-1978 as under:

1. *Short title and commencement*.—(1) These rules may be called the Recruitment and Promotion Rules for the Post of Assistant Director (Financial Administration) (First Amendment) Rules, 1981.

(2) These rules shall come into force at once.

2. *Amendments to the Annexure enclosed to the said Rules*.—The foot-notes appended to the said Annexure shall be substituted by the foot-notes enclosed.

ANNEXURE

Foot-Notes:

1. A candidate for appointment to any service or post must be:

- (a) a citizen of India, or
- (b) a subject of Nepal, or
- (c) a subject of Bhutan, or
- (d) a Tibetan refugee who came over to India before the 1st January, 1962 with the intention of permanently settling in India, or
- (e) a person of Indian origin who has migrated from Pakistan, Burma, Sri Lanka, East African Countries of Kenya, Uganda, the United Republic of Tanzania (formerly Tanganyika and Zanzibar), Zambia, Malawi, Zaire and Ethiopia with the intention of permanently settling in India:

Provided that a candidate belonging to categories (b), (c), (d) and (e) shall be a person in whose favour a certificate of eligibility has been issued by the Government of India/State Government.

A candidate in whose case a certificate of eligibility is necessary may be admitted to an examination or interview conducted by the Himachal Pradesh Public Service Commission or other recruiting authority, but the offer of appointment may be given only after the necessary eligibility certificate has been issued to him by the Government of India/Government of Himachal Pradesh.

2. Where the Government is of the opinion that it is necessary or expedient to do so, it may, by order for reasons to be recorded in writing and in consultation with the Himachal Pradesh Public Service Commission, relax any of the provisions of these rules with respect to any class or category of persons or post.

3. Upper age-limit for direct recruits will not be applicable to the candidates already in the service of the Government.

4. Upper age-limit is relaxable for Scheduled Castes/Tribes candidates and other categories of persons to the extent permissible under the general or special orders of the Himachal Pradesh Government.

5. Age-limit for direct recruits will be reckoned from the last date fixed for receipt of applications by the Commission.

6. Age and qualifications for direct recruits relaxable at the discretion of the Commission in the case of candidates otherwise well-qualified.

7. Provisions of columns 10 and 11 are to be revised by the Government in consultation with the Commission as and when the number of posts under column 2 are increased or decreased.

8. Selection for appointment to these posts in the case of direct recruitment, shall be made on the basis of *viva voce* test, if the Commission so considers necessary or expedient by a written test, the standard/syllabi etc., of which will be determined by the Commission or practical test.

9. In all cases where a junior person becomes eligible for consideration by virtue of his total length of service (including *ad hoc* one) in the feeder post all persons senior to him in the respective category shall be deemed to be eligible for consideration and placed above the junior persons in the field of consideration:

Provided that all incumbents to be considered for promotion/confirmation shall possess the minimum qualifying service of at least three years or that prescribed in the relevant recruitment and promotion rules for the post whichever is less:

Provided further that where a person becomes ineligible to be considered for promotion/confirmation, on account of the requirement prescribed in the preceding proviso, the person(s) junior to him shall also be deemed to be ineligible for consideration for such promotion/confirmation.

10. The employees of all the public sector corporations and autonomous bodies who happened to be Government servant before absorption in public sector corporation/autonomous bodies at the time of initial constitution of such corporations/autonomous bodies shall be allowed age-concession in direct recruitment as admissible to Government servants. This concession, will not, however, be admissible to such staff of the public sector corporations/autonomous bodies who were/are subsequently appointed by such corporations/autonomous bodies and were finally absorbed in the service of such corporations/autonomous bodies after the initial constitution of the public sector corporations/autonomous bodies.

11. The appointments to this service shall be subject to orders regarding reservation in the services for Scheduled Castes/Scheduled Tribes/Backward Classes issued by the Himachal Pradesh Government from time to time.

12. *Departmental Examination*.—(1) Every member of the service shall pass a departmental examination as prescribed in the Himachal Pradesh Departmental Examination Rules, 1976 failing which he shall not be eligible to:

- (a) cross the Efficiency Bar next due,
- (b) confirmation in the service, and
- (c) promotion to the next higher post:

Provided further that an officer for whom no departmental examination was prescribed prior to the notification of these rules and who has attained the age of 45 years on the 1st of March, 1976, shall not be required to qualify the departmental examination prescribed under these rules.

(2) An officer on promotion to a higher post in his direct line of promotion shall not be required to pass the aforesaid examination, if he has already passed the same in the lower gazetted post.

(3) The Government may in consultation with the Himachal Pradesh Public Service Commission, grant in exceptional circumstances and for reasons to be reduced in writing exemption in accordance with the departmental examination rules, to any class or category of persons from the departmental examination in whole or in part.

Fair Lawns, Simla-12, the 1st April, 1981

No. HIPA (Estt.)-10/73-II.—In exercise of the powers vested in him under proviso to Article 309 of the Constitution of India, and all other powers in this behalf, the Governor, Himachal Pradesh, is pleased to amend the Himachal Pradesh Institute of Public Administration Class III Service Rules, 1973 notified *vide* notification No. 2-9/73-DP (APPTT-II), dated 30-11-1973 as under:—

1. *Short title and commencement.*—(1) These rules may be called Himachal Pradesh Institute of Public Administration Class III (10th Amendment) Rules, 1981.

(2) These rules shall come into force at once.

2. *Amendment to the Rules.*—The following relaxation clause shall be incorporated as Rule 17 to the said Rules:

“Where the Government is of the opinion that it is necessary or expedient to do so it may, by orders for reasons to be recorded in writing and in consultation with the Himachal Pradesh Public Service Commission where such consultation is necessary relax any of the provisions of these rules with respect to any class or category of persons or posts.”

Fair Lawns, Simla-12, the 1st April, 1981

No. HIPA (ESTT)-19/73.—In exercise of the powers vested in him under proviso to Article 309 of the Constitution of India, and all other powers in this behalf, the Governor, Himachal Pradesh, is pleased to amend the Himachal Pradesh Institute of Public Administration Class IV Services Rules, 1973 notified *vide* notification No. 2-9/73-DP (Apptt-II), dated 3-12-1973 as under:—

1. *Short title and commencement.*—(1) These rules may be called the Himachal Pradesh Institute of Public Administration Class IV (5th Amendment) Rules, 1981.

(2) These rules shall come into force at once.

2. *Amendment to the Rules.*—The following relaxation clause shall be incorporated as Rule 16 to the said Rules:

“Where the Government is of the opinion that it is necessary or expedient to do so it may, by orders for reasons to be recorded in writing and in consultation with the Himachal Pradesh Public Service Commission, relax any of the provisions of these rules with respect to any class or category of persons or posts.”

Sd/-
Special Secretary (Trg.).

EDUCATION DEPARTMENT “TECHNICAL EDUCATION” NOTIFICATION

Simla-17/1002, the 3rd February, 1981

No. EDN-II-A(TE)(3)4/74-Vol. II.—In exercise of the powers conferred by proviso to Article 309 of the Constitution of India, the Governor, Himachal Pradesh is pleased to incorporate the Foot-notes in the Schedule attached to the Recruitment and Promotion Rules for the various categories of Class I posts services of Technical Education as notified *vide* Notification No.17-5/71-Edu-B(TE), dated the 30th July, 1973 and as amended from time to time, as per annexure enclosed.

2. These Rules shall come into force from the date of issue of this Notification.

3. In para 2 of the Notification of even number, dated the 8th February, 1980 regarding amendments to the Recruitment and Promotion Rules of Class I posts/ services of Technical Education Department add the following after the last line under “Col. No. 10-Method of

recruitment :—

“Provided that all incumbents to be considered for promotion/confirmation shall possess the minimum qualifying service of at least three years or that prescribed in the relevant recruitment and Promotion Rules for the post whichever is less:”

Provided further that where a person becomes ineligible to be considered for promotion/confirmation, on account of the requirement prescribed in the preceding proviso, the person(s) junior to him shall also be deemed to be ineligible for consideration for such promotion/confirmation.”

ANNEXURE

FOOT-NOTES:

1. A candidate for appointment to any service or post must be:

- (a) A citizen of India, or
- (b) a subject of Nepal, or
- (c) a subject of Bhutan, or
- (d) a Tibetan refugee who came over to India before the 1st January, 1962 with the intention of permanently settling in India, or
- (e) a person of Indian Origin who has migrated from Pakistan, Burma, Sri Lanka, East African Countries of Kenya, Uganda, the United Republic of Tanzania (formerly Tanganyika and Zanzibar), Zambia, Malawi, Zaire and Ethiopia with the intention of permanently settling in India;

Provided that a candidate belonging to categories (b), (c), (d) and (e) shall be a person in whose favour a certificate of eligibility has been issued by the Government of India/State Government.

A candidate in whose case a certificate of eligibility is necessary may be admitted to an examination or interview conducted by the Himachal Pradesh Public Service Commission or other recruiting authority, but the offer of appointment may be given only after the necessary eligibility certificate has been issued to him by the Government of India/Government of Himachal Pradesh.

2. Selection for appointment to these posts in the case direct recruitment, shall be made on the basis of *viva voce* test, if the Commission so considers necessary or expedient by a written test, the standard/syllabus etc.

3. The employees of all the public sector corporations and autonomous bodies who happened to be Government servants before absorption in public sector corporation/Autonomous bodies at the time of initial constitution of such corporations/autonomous bodies, shall be allowed age concession in direct recruitment as admissible to Government servants. This concession, will not, however, be admissible to such staff of the public sector corporations/autonomous bodies who were/are subsequently appointed by such corporations/autonomous bodies and are/were finally absorbed in the service of such corporations/autonomous bodies after the initial constitution of the public sector corporations/autonomous bodies.

4. The appointments to this service shall be subject to orders regarding reservation in the services for Scheduled Castes/Scheduled Tribes/Backward Classes issued by the Himachal Pradesh Government from time to time.

By order,
ANANG PAL,
Secretary.

FOOD AND SUPPLIES DEPARTMENT

NOTIFICATIONS

Simla-2, the 9th February, 1981

No. 1-5/69-F&S.—In exercise of the powers conferred by proviso to Article 309 of the Constitution of India and all other powers enabling him in this behalf, the Governor, Himachal Pradesh, is pleased to incorporate the following notes below rule 13 in the Recruitment and Promotion Rules for the post of Deputy Director Food and Supplies, Himachal Pradesh, notified *vide* this Department notification No. 1-7/65-CS, dated 17-9-1966 and further amended *vide* this Department notifications of even number dated 28-12-1973, 22-11-1974, 22-8-1975, 2-6-1977 22-6-1976, 22-9-1975 and 9-6-1977, with immediate effect:—

A candidate for appointment to any service or post must be,—

- (a) a citizen of India, or
- (b) a subject of Nepal, or
- (c) a subject of Bhutan, or
- (d) a Tibetan refugee who came over to India before the 1st January, 1962 with the intention of permanently settling in India, or
- (e) a person of Indian origin who has migrated from Pakistan, Burma, Sri Lanka, East African countries of Kenya, Uganda and United Republic of Tanzania (formerly Tanganyika and Zanzibar) Zambia, Malawi, Zaire and Ethiopia with the intention of permanently settling in India:

Provided that a candidate belonging to categories (b), (c), (d) and (e) shall be a person in whose favour a certificate of eligibility has been issued by the Government of India/State Government.

A candidate in whose case a certificate of eligibility is necessary may be admitted to an examination or interview conducted by the Himachal Pradesh Public Service Commission or other recruiting authority, but the offer of appointment may be given only after the necessary eligibility certificate has been issued to him by the Government of India/Government of Himachal Pradesh.

2. Upper age limit for direct recruits will not be applicable to the candidates already in the service of the Government.

3. Upper age limit is relaxable for Scheduled Castes, Tribes candidates and other categories of persons to the extent permissible under the general or special orders of the Himachal Pradesh Government.

4. Age limit for direct recruits will be reckoned from the last date fixed for receipt of applications by the Commission.

5. Age and qualifications for direct recruits relaxable at the direction of the Commission in the case of candidates otherwise well qualified.

6. Provisions of columns 10 and 11 are to be revised by the Government in consultation with the H.P. Public Service Commission as and when the number of posts under column 2 are increased or decreased.

7. The employees of all the public sector corporations and autonomous bodies who happened to be Government servants before absorption in public sector corporations/autonomous bodies at the time of initial constitution of such corporations/autonomous bodies shall be allowed age concession in direct recruitment as admissible to Government servants. This concession will not, however be admissible to such staff of the public sector corporations/autonomous bodies who were/are subsequently appointed by such corporations/autonomous bodies and are/were finally absorbed in the service of such corporations/autonomous bodies after the initial constitution of the public sector corporations/autonomous bodies.

8. The appointments to this service shall be subject to orders regarding reservation in the services for Scheduled Castes/Scheduled Tribes/Backward Classes issued by the Himachal Pradesh Government from time to time.

Simla-2, the 9th February, 1981

No. 1-5/69-F&S.—In exercise of the powers conferred

by proviso to Article 309 of the Constitution of India and all other powers enabling him in this behalf, the Governor, Himachal Pradesh is pleased to incorporate the following relaxation clause to the Annexure of the Recruitment and Promotion Rules for the post of District Food and Supplies Controller published *vide* notification of even number, dated 28-12-1973 and further amended *vide* this Department notifications of even number, dated 27-2-1976, 5-2-1976, 2-6-1977, 9-6-1977 and 22-6-1976 with immediate effect:—

“Where the Government is of the opinion that it is necessary or expedient to do so, it may by order, for reasons to be recorded in writing and in consultation with the Himachal Pradesh Public Service Commission, relax any of the provisions of these rules with respect to any class or category of persons or posts”.

The following footnotes shall be added below footnote No. 7 in the Annexure to the Recruitment and Promotion Rules, published *vide* notification, dated 28-12-1973:—

8. A candidate for appointment to any service or post must be,—

- (a) a citizen of India, or
- (b) a subject of Nepal, or
- (c) a subject of Bhutan, or
- (d) a Tibetan refugee who came over to India before the 1st January, 1962 with the intention of permanently settling in India, or
- (e) a person of Indian origin who has migrated from Pakistan, Burma, Sri Lanka, East African Countries of Kenya, Uganda, and United Republic of Tanzania (formerly Tanganyika and Zanzibar) Zambia, Malawi, Zaire and Ethiopia with the intention of permanently settling in India:

Provided that a candidate belonging to categories (b), (c), (d) and (e) shall be a person in whose favour a certificate of eligibility has been issued by the Government of India/State Government.

A candidate in whose case a certificate of eligibility is necessary may be admitted to an examination or interview conducted by the Himachal Pradesh Public Service Commission or other recruiting authority, but the offer of appointment may be given only after the necessary eligibility certificate has been issued to him by the Government of India/Government of Himachal Pradesh.

9. The employees of all the public sector corporation and autonomous bodies who happened to be Government servants before absorption in public sector corporations/autonomous bodies at the time of initial constitution of such corporations/autonomous bodies shall be allowed age concession in direct recruitment as admissible to Government servants. This concession will not, however, be admissible to such staff of the public sector corporations/autonomous bodies who were/are subsequently appointed by such corporations/autonomous bodies and are/were finally absorbed in the service of such corporations/autonomous bodies after the initial constitution of the public sector corporations/autonomous bodies.

10. The appointments to this service shall be subject to orders regarding reservation in the services for Scheduled Castes/Scheduled Tribes/Backward Classes issued by the Himachal Pradesh Government from time to time.

S. M. KANWAR,
Commissioner-cum-Secretary.

GENERAL ADMINISTRATION DEPARTMENT
(D—SECTION)

NOTIFICATION

Simla-2, the 31st January, 1981

No. 7-44/73-GAD.—In exercise of the powers conferred by proviso to Article 309 of the Constitution of India and all other powers enabling him in this behalf, the Governor, Himachal Pradesh is pleased to make the following amendments in the Himachal Pradesh General Administration Department (Estate Office) Class-III Service Rules, 1973 relating to the Recruitment, Promotion and Certain Conditions of the Class-III services of the Estate Office, Himachal Pradesh, notified *vide* Notification of even number, dated 11-2-1973

namely:—

Short title and commencement.—These rules may be called the Himachal Pradesh General Administration Department (Estate Office) Class-III Service (Third amendment) Rules, 1981.

They shall come into force with immediate effect.

AMENDMENTS

Below Rule-14 of these rules a foot-note contained in Annexure 'A' to this Notification be also incorporated.

ANNEXURE A FOOT NOTES

1. A candidate for appointment to any service or post must be:—

- (a) a citizen of India, or
- (b) a subject of Nepal, or
- (c) a subject of Bhutan, or
- (d) a Tibetan refugee who came over to India before the 1st January, 1962 with the intention of permanently settling in India, or
- (e) a person of Indian Origin who has migrated from Pakistan, Burma, Sri Lanka, East African Countries of Kenya, Uganda, the United Republic of Tanzania (formerly Tanganyika and Zanzibar), Zambia, Malawi, Zaire and Ethiopia with the intention of permanently settling in India:

Provided that a candidate belonging to categories (b) (c), (d) and (e) shall be a person in whose favour a certificate of eligibility has been issued by the Government of India/State Government.

A candidate in whose case a certificate of eligibility is necessary may be admitted to an examination or interview conducted by the Himachal Pradesh Public Service Commission or other recruiting authority, but the offer of appointment may be given only after the necessary eligibility certificate has been issued to him by the Government of India/Government of Himachal Pradesh.

2. Upper age-limit for direct recruits will not be applicable to the candidates already in the service of the Government.

3. Upper age-limit is relaxable for Scheduled Castes/Tribes candidates and other categories of persons to the extent permissible under the general or special orders of the H.P. Government.

4. Age-limit for direct recruits will be reckoned from the last date fixed for receipt of applications by the Commission.

5. Age and qualifications for direct recruits relaxable at the discretion of the Commission. In the case of candidates otherwise well-qualified.

6. Selection for appointment to these posts in the case of direct recruitment, shall be made on the basis of *viva-voce* test, if the Commission so considers necessary or expedient by a written test, the standard/syllabus etc., of which will be determined by the Commission or a practical test.

7. In all cases where a junior person becomes eligible for consideration by virtue of his total length of service (including *ad hoc* one) in the feeder post, all persons senior to him in the respective category shall be deemed to be eligible for consideration and placed above the junior persons in the field of consideration:

Provided that all incumbents to be considered for promotion/confirmation shall possess the minimum-qualifying service of at least three years or that prescribed in the relevant recruitment and promotion rules for the post whichever is less:

Provided that where a person becomes eligible to be considered for promotion/confirmation, on account of the requirement prescribed in the preceding proviso the person(s) junior to him shall also be deemed to be ineligible for consideration for such promotion/confirmation.

8. The employees of all the public sector corporations and autonomous bodies who happened to be Government servants before absorption in public sector corporation/autonomous bodies, at the time of initial constitution of

such Corporation/autonomous bodies, shall be allowed age concession in direct recruitment as admissible to Government servants. This concession, will not, however, be admissible to such staff of the public sector corporations/autonomous bodies who were/are subsequently appointed by such corporations/autonomous bodies and are/were finally absorbed in the service of such Corporations/autonomous bodies after the initial constitution of the public sector corporations/autonomous bodies.

9. The appointments to this service shall be subject to orders regarding reservation in the services for Scheduled Castes/Scheduled Tribes/Backward Classes issued by the Himachal Pradesh Government from time to time.

SURENDRA KISHORE,
Special Secretary.

HOME DEPARTMENT NOTIFICATION

Simla-2, the 6th February, 1981

No. Home-II(B)2-1/80.—In exercise of the powers conferred by proviso to Article 309 of the Constitution of India and all other powers enabling him in this behalf, the Governor, Himachal Pradesh is pleased to make the Recruitment and Promotion Rules for the post of Assistant Advocate General, Himachal Pradesh, as attached in the Annexure.

These rules shall come into force from the date of issue of the Notification.

ANNEXURE I

RECRUITMENT AND PROMOTION RULES FOR THE POST OF ASSISTANT ADVOCATE GENERAL IN THE OFFICE OF THE ADVOCATE GENERAL, HIMACHAL PRADESH GOVERNMENT

1. *Name of the post.*—Assistant Advocate General.
2. *Number of posts.*—Two.
3. *Scale of pay.*—Rs. 2,000—2,300.
4. *Classification.*—
5. *Whether selection post or non-selection post.*—Not applicable.

6. *Age for direct recruits.*—Between 30 and 45 years (This will not apply to District Attorneys).

7. *Minimum educational and other qualifications required for direct recruits.*—(a) *ESSENTIAL:*

(i) professional Degree in Law from recognised University in India or its equivalent.

(ii) 7 years practice as an Advocate or a District Attorney fulfilling the qualification prescribed in sub-section (5) of section 24 of Code of Criminal Procedure.

(b) *Desirable.*—Knowledge of customs, manners and dialects of Himachal Pradesh and suitability for appointment in the peculiar conditions prevailing in the Pradesh.

8. *Whether age and educational qualifications prescribed for direct recruits will apply in the case of promotees.*—Not applicable.

9. *Period of probation, if any.*—Two years subject to such further extension for a period not exceeding one year as may be ordered by the competent authority in special circumstances and for reasons to be reduced to writing.

10. *Method of recruitment, whether by direct recruitment or by promotion, deputation/transfer and the percentage of vacancies to be filled by various methods.*—By direct method.

11. *In case of recruitment by promotion, deputation/transfer, grades from which promotions, deputation/transfer to be made.*—Not applicable.

12. *If a D.P.C. exists, what is its composition.*—Not applicable.

13. *Circumstances under which the Himachal Pradesh Public Service Commission is to be consulted in making recruitment.*—As required under the law.

FOOT NOTES

1. A candidate for appointment to any service or post must be:

- (a) a citizen of India, or
- (b) a subject of Nepal, or

- (c) a subject of Bhutan, or
- (d) a Tibetan refugee who came over to India before the 1st January, 1962 with the intention of permanently settling in India, or
- (e) a person of Indian origin who has migrated from Pakistan, Burma, Sri Lanka, East African countries of Kenya, Uganda, the United Republic of Tanzania (formerly Taganika and Zanzibar), Zambia, Malawi, Zaire and Ethiopia with the intention of permanently settling in India.

Provided that a candidate belonging to categories (b), (c), (d) and (e) shall be a person in whose favour a certificate of eligibility has been issued by the Government of India/State Government.

A candidate in whose case a certificate of eligibility is necessary may be admitted to an examination or interview conducted by the Himachal Pradesh Public Service Commission or other recruiting authority, but the offer of appointment may be given only after the necessary eligibility certificate has been issued to him by the Government of India/Government of Himachal Pradesh.

2. Upper age limit for direct recruits will not be applicable to the candidates already in the service of the Government.

3. Upper age limit is relaxable for Scheduled Castes/Tribes candidates and other categories of persons to the extent permissible under the general or special orders of the Himachal Pradesh Government.

4. Age limit for direct recruits will be reckoned from the last date fixed for receipt of applications by the commission.

5. Age for direct recruits relaxable at the discretion of the Commission in the case of candidates otherwise will qualify.

6. Provision of columns 10 and 11 are to be revised by the Government in consultation with the Commission as and when the number of post under column 2 are increased or decreased.

7. Where the Government is of the opinion that it is necessary or expedient to do so, it may, by order, for reasons to be recorded in writing and in consultation with the Himachal Pradesh Public Service Commission relax any of the provisions of these rules with respect to any class or category of persons or post.

8. Selection for appointment to these posts in the case of direct recruitment shall be made on the basis of *viva voce* test, if the Commission so considers necessary or expedient by a written test, the standard/Syllabus etc., of which will be determined by the Commission or a practical test.

9. The appointment to this service shall be subject to orders regarding reservation in the services for Scheduled Castes/Scheduled Tribes/Backward classes issued by the Himachal Pradesh Government from time to time.

10. *Departmental examination.*—(i) Every member of the service shall pass a departmental examination as prescribed in the Departmental Examination Rules within the probation period or within two years from the notification of these rules whichever is later failing which he shall not be eligible to,—

- (a) cross the efficiency bar next due;
- (b) confirmation in the service, and
- (c) Promotion to the next higher post;

Provided that if a member becomes otherwise eligible for promotion within the period mentioned above, he shall be considered for promotion and if otherwise found fit, shall be promoted provisionally subject to his passing the departmental examination. He may be reverted if he fails to pass the same:

Provided further that an officer who has qualified the departmental examination in whole or in part prescribed under any other rules before the notification of these rules, shall not be required to qualify the whole or in part of the examination as the case may be:

Provided further that an officer for whom no departmental examination was prescribed prior to the notification of these rules and who has attained the age of 45 years on the 1st of March, 1976, shall not be required to qualify the departmental examination prescribed under these rules.

(ii) An officer on promotion to a higher post in his direct line of promotion shall not be required to pass the aforesaid examination, if he has already passed the same in the lower gazetted post.

(iii) The Government may, in consultation with the Himachal Pradesh Public Service Commission, grant in exceptional circumstances and for reasons to be reduced to writing, exemption in accordance with the departmental examination rules, to any class or category of persons from the departmental examination whole or in part.

K. C. PANDEYA,
Chief Secretary.

HORTICULTURE DEPARTMENT NOTIFICATION

Simla-2, the 6th February, 1981

No. 29-1/72-Hort(Sectt).—In exercise of the powers conferred by proviso to Article 309 of the Constitution of India and all other powers enabling him in this behalf, the Governor, Himachal Pradesh, in consultation with the Himachal Pradesh Public Service Commission is pleased to make the following further amendments in the Himachal Pradesh Horticulture Class-III (Executive Section) Recruitment and Promotion Rules, 1978, adopted and notified vide notification of even number, dated the 6th August, 1973, with immediate effect:

AMENDMENTS

(1) The footnote at Serial No. 1 shall be substituted as under:—

SERIAL No. 1 Upper age-limit for direct recruits will not be applicable to candidates already in the service of the Government.

(2) Below foot notes at serial No. 6 to the aforesaid rules, the following foot notes shall be added:—

Serial No. 7 Selection for appointment to these posts in the case of direct recruitment shall be made on the basis of *viva voce* test, if the Commission so considered necessary or expedient, by a written test, (the standard/syllabus, etc. of which will be determined by the Commission) or a practical test;

Serial No. 8 The appointments to the service shall be subject to orders regarding reservation in the services for Scheduled Castes/Scheduled Tribes/Backward Classes etc., issued by the Himachal Pradesh Government from time to time;

Serial No. 9 The employees of all the public sector corporations and autonomous bodies who happened to be Government servants before absorption in public sector corporations/autonomous bodies at the time of initial constitution of such corporations/autonomous bodies, shall be allowed age-concession in direct recruitment as admissible to Government servants. This concession will not, however, be admissible to such staff of the public sector corporations/autonomous bodies who were/are subsequently appointed by such corporations/autonomous bodies and are/were finally absorbed in the service of such corporations/autonomous bodies after the initial constitution of the public sector corporations/autonomous bodies.

B. C. NEGI,
Secretary.

LAW DEPARTMENT

NOTIFICATIONS

Simla-2, the 2nd February, 1981

No. LLR.B(1)4/74.—In exercise of the powers conferred by proviso to article 309 of the Constitution of India and all other powers enabling in this behalf, the Governor of Himachal Pradesh in consultation with the Himachal Pradesh Public Service Commission, is pleased to further amend the "Recruitment and Promotion Rules" in respect of the post of Deputy Director (Prosecution) notified *vide* this Department's notification of even number, dated the 15th November, 1974, as under:—

AMENDMENT

1. substitution of foot note No. 4.—For the footnote No. 4 below the Recruitment and Promotion Rules for the post of Deputy Director (Prosecution) (hereinafter called the said rules), the following foot note 4 shall be substituted, namely:—

"Provisions of columns 10 and 11 are to be revised by the Government in consultation with the Commission as and when the number of posts under column 2 are increased or decreased.

2. Substitution of foot Note No. 8.—For the foot note No. 8 below the said rules, the following foot note No. 8 shall be substituted, namely:—

"In all cases where a junior person becomes eligible for consideration by virtue of his total length of service (including *ad hoc* one) in the feeder post, all persons senior to him in the respective category shall be deemed to be eligible for consideration and placed above the junior persons in the field of consideration:

Provided that all incumbents to be considered for promotion/confirmation shall possess the minimum qualifying service of at least three years or that prescribed in the relevant Recruitment and Promotion Rules for the post which-ever is less:

Provided further that where a person becomes ineligible to be considered for promotion/confirmation, on account for the requirement prescribed in the preceding proviso the person(s) junior to him shall also be deemed to be ineligible for consideration for such promotion/confirmation.

3. Insertion of foot Note No. 11 and 12.—After foot-note No. 10 below the said rules, the following foot-notes Nos. 11 and 12 shall be inserted, namely:—

- (i) A candidate for appointment to any service or post must be,—
 - (a) a citizen of India, or
 - (b) a subject of Nepal, or
 - (c) a subject of Bhutan, or
 - (d) a Tibetan refugee who came over to India before the 1st January, 1962 with the intention of permanently settling in India, or
 - (e) a person of Indian origin who has migrated from Pakistan, Burma, Sri Lanka, East African Countries of Kenya, Uganda, the United Republic of Tanzania (Formerly Tanganyika and Zanzibar), Zambia, Malawi, Zaire and Ethiopia with the intention of permanently settling in India:

Provided that a candidate belonging to categories (b)(c) (d) and (e) shall be a person in whose favour a certificate of eligibility has been issued by the Government of India/State Government.

A candidate in whose case a certificate of eligibility is necessary may be admitted to an examination or interview conducted by the H.P. P.S.C. or other recruiting authority but the offer of appointment may be given only after the necessary eligibility certificate has been issued to him by the Government of India/ Government of Himachal Pradesh.

(ii) The appointments to this service shall be subject to the orders regarding reservation in the services for Scheduled Castes/Scheduled Tribes/Backward Classes issued by the Himachal Pradesh Government from time to time.

Simla-2, the 3rd February, 1981

No. 11-70/72-LR-II.—In exercise of the powers conferred by proviso to Article 309 of the Constitution of India and all other powers enabling in this behalf, the Governor, Himachal Pradesh is pleased to make the following rules to amend the Himachal Pradesh District Attorneys/ Assistant District Attorneys Establishment (State Service Class-III) Rules, 1973 notified *vide* this Department Notification of even number, dated the 23rd September, 1973 namely:—

1. Short title and commencement.—(i) These rules may be called the Himachal Pradesh District Attorneys/ Assistant District Attorneys (State Service Class III) Establishment (Amendment) Rules, 1981.

(ii) They shall come into force from the date of issue of this Notification.

2. Substitution of foot note No. 1.—For foot-note No. 1 in Annexure 'A' referred to in Rule No. 3 of the Himachal Pradesh District Attorneys/Assistant District Attorneys Establishment (State Service Class-III) Rules, 1973, hereinafter called the said Rules, the following foot-note No. 1 shall be substituted, namely:—

In all cases where a junior person becomes eligible for consideration by virtue of his total length of service (including *ad hoc* one) in the feeder post, all persons senior to him in the respective category shall be deemed to be eligible for consideration and placed above the junior persons in the field of consideration:

Provided that all incumbents to be considered for promotion/confirmation shall possess the minimum qualifying service of at least three years or that prescribed in the relevant Recruitment and Promotion rules for the post whichever is less:

Provided further that where a person becomes in-eligible to be considered for promotion/confirmation, on account of the requirement prescribed in the preceding proviso, the person(s) junior to him shall also be deemed to be ineligible for consideration for such promotion/confirmation.

3. Insertion of foot-notes 3 to 9.—After foot-note No. 2 of the said Rules, the following foot-notes 3 to 9 shall be added, namely:—

- 3. Upper age-limit for direct recruits will not be applicable to the candidates already in the service of the Government.
- 4. Upper Age-limit is relaxable for Scheduled Castes/ Tribes candidates and other categories of persons to the extent permissible under the general or special orders of the H.P. Government.
- 5. Age-limit for direct recruits will be reckoned from the last date fixed for receipt of applications by Government.
- 6. Age and qualifications for direct recruits relaxable at the discretion of the Government in the case of candidates otherwise well qualified.
- 7. Provisions of columns 10 and 11 are to be revised by the Government as and when the number of posts under column 2 are increased or decreased.
- 8. Selection for appointment to these posts in the case of direct recruitment, shall be made on the basis of *viva voce* test, if the Government so considers necessary or expedient by a written test, the standard/syllabus, etc. of which will be determined by the Government or a practical test.
- 9. The appointments to this service shall be subject to orders regarding reservation in the services for Scheduled Castes/Scheduled Tribes/Backward Classes issued by the Himachal Pradesh Government from time to time.

Simla-2, the 3rd February, 1981

No. 11-70/73-LR-II.—In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India and all other powers enabling him in this behalf, the Governor, Himachal Pradesh is pleased to make following rules further to amend the Himachal Pradesh District Attorneys/Assistant District Attorneys Establishment (State Service Class IV) Rules, 1973, namely:—

AMENDMENT

1. (i) These rules may be called the Himachal Pradesh District Attorneys/Assistant District Attorneys Establishment (State Service Class-IV) (Amendment) Rules, 1981. (ii) They shall come into force from the date of issue of this notification.

2. For sub-rule (1)(b)(iii) of rule 5 of the Himachal Pradesh District Attorneys/Assistant District Attorneys Establishment (State Service Class-IV) Rules, 1973, hereinafter called the said Rules, the following shall be substituted, namely:—

(iii) In case the Government, in any exceptional case and for the reasons to be recorded in writing, relax the provisions of sub-rule (i)(a)(b)(i) and (ii) of this Rule, a candidate for the appointment to the post in the service must be,—

- (a) a citizen of India, or
- (b) a subject of Nepal, or
- (c) a subject of Bhutan, or
- (d) a Tibetan refugee who came over to India before the 1st January, 1962 with the intention of permanently settling in India, or
- (e) a person of Indian origin who has migrated from Pakistan, Burma, Sri Lanka, East African countries of Kenya, Uganda, the United Republic of Tanzania (formerly Tanganyika and Zanzibar), Zambia, Malawi, Zaire and Ethiopia with the intention of permanently settling in India:

Provided that a candidate belonging to categories (b), (c)(d) and (e) shall be a person in whose favour a certificate of eligibility has been issued by the Government of India/State Government.

A candidate in whose case a certificate of eligibility is necessary may be admitted to an examination or interview conducted by the Himachal Pradesh Government or other recruiting authority, but the offer of appointment may be given only after the necessary eligibility certificate has been issued to him by the Government of India/Government of Himachal Pradesh.

3. After footnote No. 1 in Annexure 'A' referred to in Rule 3 of the said Rules, the following footnotes 2 to 10 shall be added, namely:—

2. Upper age-limit for direct recruits will not be applicable to the candidates already in the service of the Government.
3. Upper age-limit is relaxable for Scheduled Castes/ Tribes candidates and other categories of persons to the extent permissible under the general or special orders of the Himachal Pradesh Government.
4. Age-limit for direct recruits will be reckoned from the last date fixed for receipt of applications by the Government—
5. Age and qualifications for direct recruits relaxable at the discretion of the Government in the case of candidates otherwise well qualified.
6. Provisions of columns 10 and 11 are to be revised by the Government as and when the number of posts under column 2 are increased or decreased.
7. Selection for appointment to these posts in the case of direct recruitment, shall be made on the basis of *viva voce* test, if the Government so considers necessary or expedient by a written test, the standard/syllabus etc., of which will be determined by the Government or a practical test.

8. The appointments to this service shall be subject to orders regarding reservation in the services for Scheduled Castes/Scheduled Tribes/Backward Classes issued by the Himachal Pradesh Government from time to time.

Simla-2, the 24th February, 1981

No. LLR.B(2)3/76.—In exercise of the powers conferred by proviso to Article 309 of the constitution of India and all other powers enabling him in this behalf, the Governor, Himachal Pradesh is pleased to make the following amendments in the Recruitment and Promotion Rules for the post of Steno-Typist in the Directorate of Pros. in the Law Department, notified *vide* this department's notification of even number, dated the 15th December, 1976.

AMENDMENTS

Insertion of foot note No. 3 to 11

After foot note No. 2 below, the recruitment and Promotion Rules for the post of Steno-typist in the Directorate of Prosecution/Law Department, the following foot notes shall be added as foot notes No. 3 to 11, namely:—

FOOT NOTES

3. A candidate for appointment to any service or post must be,—

- (a) a citizen of India, or
- (b) a subject of Nepal, or
- (c) a subject of Bhutan, or
- (d) a Tibetan refugee who came over to India before the 1st January, 1962 with the intention of permanently settling in India, or
- (e) a person of Indian origin who has migrated from Pakistan, Burma, Sri Lanka, East African Countries of Kenya, Uganda, the United Republic of Tanzania (formerly Tanganyika and Zanzibar), Zambia, Malawi, Zaire and Ethiopia with the intention of permanently settling in India:

Provided that a candidate belonging to categories (b), (c), (d), and (e), shall be a person in whose favour a certificate of eligibility has been issued by the Government of India/State Government.

A candidate in whose case a certificate of eligibility is necessary may be admitted to an examination or interview conducted by the Himachal Pradesh Government or other recruiting authority, but the offer of appointment may be given only after the necessary eligibility certificate has been issued to him by the Government of India/Government of Himachal Pradesh.

4. Upper age-limit for direct recruits will not be applicable to the candidates already in the Service of the Government:

5. Upper age-limit is relaxable for Scheduled Castes/ Tribes candidates and other categories of persons to the extent permissible under the general or special orders of the Himachal Pradesh Government.

6. Age-limit for direct recruits will be reckoned from the last date fixed for receipt of applications by the Government.

7. Age and qualifications for direct recruits relaxable at the discretion of the Government in the case of candidates otherwise well qualified.

8. Provisions of columns 10 and 11 are to be revised by the Government as and when the number of posts under column 2 are increased or decreased.

9. Selection for appointment to these posts in the case of direct recruitment, shall be made on the basis of *viva voce* test if the Government so considers necessary or expedient by a written test, the standard/syllabus etc., of which will be determined by the Government or a practical test.

10. In all cases where a junior person becomes eligible for consideration by virtue of his total length of service (including *ad hoc* one) in the feeder post, all

persons senior to him in the respective category shall be deemed to be eligible for consideration and placed above the junior persons in the field of consideration:

Provided that all incumbents to be considered for promotion/confirmation shall possess the minimum qualifying service of at least three years or that prescribed in the relevant recruitment and promotion rules for the post whichever is less:

Provided further that where a person becomes in eligible to be considered for promotion/confirmation, on account of the requirement prescribed in the preceding proviso the person(s) junior to him shall also be deemed to be ineligible for consideration for such promotion/confirmation.

11. The appointments to this service shall be subject to orders regarding reservation in the services for Scheduled Estates/Scheduled Tribes/Backward Classes issued by the Himachal Pradesh Government from time to time.

J. C. MALHOTRA,
Secretary.

PUBLIC WORKS DEPARTMENT NOTIFICATIONS

Simla-2, the 16th February, 1981

No. PBW-1-A(3)-1/79.—In exercise of the powers conferred by proviso to Article 309 of the Constitution of India and all powers enabling him in this behalf, the Governor, Himachal Pradesh is pleased to make amendments in the Recruitment and Promotion Rules for the post of Tracer Draftsman (Class-III) in the Town and Country Planning Organisation, Himachal Pradesh as per annexure II enclosed notified *vide* this office notification No.1-56/73 PWA, dated 22-11-1976.

Short title and commencement.—(i) These rules may be called the Himachal Pradesh Tracer Draftsman (Class III) Service (First Amendment) Rules, 1981.

(ii) They shall come into force from the date of issue of this notification.

ANNEXURE II

AMENDMENT OF THE RECRUITMENT AND PROMOTION RULES FOR THE POST OF TRACER DRAFTSMAN IN THE TOWN AND COUNTRY PLANNING ORGANISATION, HIMACHAL PRADESH

1. *Name of post.*—Tracer Draftsman.
2. *Name of Department.*—Town and Country Planning Organisation.

Col.No.	Existing provision	Revised provision- approved by the Government
5(1)	Has passed the Matriculation or the Higher Secondary Examination or any equivalent examination of any recognised University with drawing as one of the elective subjects and satisfied the appointing authority of his ability to make neat tracing of the original plans and ferro/printing work.	<p>ESSENTIAL:</p> <p>(i) Matriculation of recognised University or its equivalent.</p> <p>(ii) Certificate in Civil Draftsmanship awarded by way of the recognised Institution or any other higher technical examination.</p> <p><i>Desirable.</i>—The candidates should possess the knowledge of customs, manners and dialects of H.P. and suitability for appointment in the peculiar conditions prevailing in the Pradesh.</p>

Simla-2, the 16th February, 1981
No. PBW-1-A(3)-1/79.—In exercise of the powers conferred by proviso to Article 309 of the Constitution of India and all powers enabling him in this behalf, the Governor, Himachal Pradesh is pleased to make Recruitment and Promotion Rules for the posts of Research Assistant (Class-III) in the Town and Country Planning Organisation, Himachal Pradesh as per Annexure-I enclosed to this notification.

2. These rules shall come into force from the date of their publication in the official Gazette (Himachal Pradesh Rajpatra).

ANNEXURE I RECRUITMENT AND PROMOTION RULES FOR THE POST OF RESEARCH ASSISTANT

1. *Name of post.*—Research Assistant.
2. *No. of posts.*—2.
3. *Classification.*—Class III.
4. *Scale of pay.*—Rs.200—500.
5. *Whether selection post or non-selection.*—Non-selection.
6. *Age for direct recruits.*—Minimum 18 years.
Maximum 27 years.
7. *Minimum educational and other qualifications prescribed for direct recruits.*—**ESSENTIAL.**—Master of Arts Degree in one of the following subjects:—
 - (i) Economics
 - (ii) Geography
 - (iii) Sociology
 - (iv) Statistics Or
 - (v) Law Graduates;

Preferably one year's experience in field investigation cartography and map production;

Preference to candidates with experience of field investigation in a town planning organisation.

Desirable.—Should possess the knowledge of customs, manners and dialects of Himachal Pradesh.

8. *Whether age and educational qualifications prescribed for direct recruits will apply in the case of promotees.*—
Not applicable.
9. *Period of probation, if any.*—2 years.
10. *Method of recruitment, whether by direct recruitment or by promotion/deputation, transfer and percentage of vacancies to be filled by various methods.*—
By promotion failing which by direct recruitment.
11. *In case of recruitment by promotion, deputation/transfer, grades from which promotion/deputation transfer be made.*—By promotion from Field Investigators with two years minimum experience as field Investigators.
12. *If a (D.P.C. exists what is its composition.*—The D.P.C. to be constituted from time to time.

Simla-2, the 16th February, 1981

No. PBW-1-A(3)-1/79.—In exercise of the powers conferred by proviso to Article 309 of the Constitution of India and all powers enabling him in this behalf, the Governor, Himachal Pradesh is pleased to make amendments in the Recruitment and Promotion Rules for the post of Field Investigator (Class-III) in the Town and Country Planning Organisation, H.P. as per Annexure-II enclosed, notified *vide* this office Notification No.1-56/73 PWA, dated 22-11-1976.

Short title and commencement.—(i) These rules may be called the Himachal Pradesh Field Investigator (Class-III) Service (First Amendment) Rules, 1981.

(ii) They shall come into force from the date of issue of this notification.

ANNEXURE-II

AMENDMENT IN THE RECRUITMENT AND PROMOTION RULES FOR THE POST OF FIELD INVESTIGATOR IN THE TOWN AND COUNTRY PLANNING ORGANISATION, H.P.

1. *Name of the post.*—Field Investigator.
2. *Name of the Department.*—Town and Country Planning Organisation.

2. *Name of the Department.*—Town and Country Planning Organisation.

Col. No.	Existing provision	Revised provision as approved by the Government
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Annexure 'A'.	1 post in the scale of Rs.200-10-280/15-430-20-450 with a minimum start of Rs. 250.	11 posts (6 Nos. Junior Draftsmen in the scale of Rs. 200—450 promotes to start with Rs. 250 and 5 Nos. Junior Architectural Draftsmen Rs. 250—450).
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5(iii) By direct recruitment:

(a) <i>Essential:</i>	<i>Essential:</i>
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Has passed the Intermediate examination in Town Planning.	(i) Matriculation of a recognised University or its equivalent.
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Or	(ii) Three years diploma in Architectural Assistantship.
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Has passed the Intermediate examination in Architecture leading to a degree/diploma in Architecture;	
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Has passed the three-year Diploma in Architectural Assistantship from an institution recognised by the Government with two years experience in an Architectural/Town Planning Organisation or under a qualified Architect/Town Planner after passing the examination.	Not applicable.
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6(4)	(i) 50% of the posts by direct recruitment.	(i) 50% by direct recruitment.
	(ii) 50% of the posts by promotion from Assistant Draftsmen possessing prescribed qualification or have passed the prescribed examination from I.T.I. for the posts of Assistant Draftsman.	(ii) 50% by selection from amongst Assistant Draftsmen having four years experience preferably in Town Planning and passed/Draftsman Diploma from I.T.I. or equivalent.

Simla-2, the 16th February, 1981

No. PBW-1-A(3)-1/79.—In exercise of the powers conferred by proviso to Article 309 of the Constitution of India and all other powers enabling him in this behalf, the Governor, Himachal Pradesh is pleased to make amendments in the Recruitment and Promotion Rules for the post of Junior Architectural Draftsman/Junior Draftsman (Class-III) in the Town and Country Planning Organisation, Himachal Pradesh as per annexure II enclosed, notified *vide* this office notification No.1-56/73-PWA, dated the 22nd November, 1976.

Short title and commencement.—(i) These rules may be called the Himachal Pradesh Junior Architectural Draftsman/Junior Draftsman (Class-III) Service (First Amendment) Rules, 1981.

(ii) They shall come into force from the date of issue of this notification.

ANNEXURE II

AMENDMENT OF THE RECRUITMENT AND PROMOTION RULES FOR THE POST OF JUNIOR ARCHITECTURAL DRAFTSMAN/JUNIOR DRAFTSMAN IN THE TOWN AND COUNTRY PLANNING ORGANISATION, HIMACHAL PRADESH GOVERNMENT

1. *Name of the post.*—Junior Architectural Draftsman/Junior Draftsman

No. PBW-1-A(3)-1/79.—In exercise of the powers conferred by proviso to Article 309 of the Constitution of India and all powers enabling him in this behalf, the Governor, Himachal Pradesh in consultation with the Himachal Pradesh Public Service Commission is pleased to make amendments in the Recruitment and Promotion Rules for the post of Planning Assistant (Class-III) in the Town and Country Planning Organisation, Himachal Pradesh as per Annexure III enclosed, notified *vide* this office notifications No. 1-56/73-PWA, dated 29-3-1975 and 12-11-1975.

Short title and commencement.—(i) These rules may be called the Himachal Pradesh Planning Assistant (Class-III) Service (Second Amendment) Rules, 1981.

(ii) They shall come into force from the date of issue of this notification.

ANNEXURE III

1 2 3

AMENDMENT OF THE RECRUITMENT AND PROMOTION RULES FOR THE POST OF PLANNING ASSISTANT IN THE TOWN AND COUNTRY PLANNING ORGANISATION, PUBLIC WORKS DEPARTMENT, HIMACHAL PRADESH GOVERNMENT

1. *Name of the post.*—Planning Assistant.
2. *Name of the Department.*—Town and Country Planning Organisation (Public Works Department).

Col. No.	Existing provision	Revised provision as approved by the Public Service Commission
1	2	3

7. *Essential:* (i) Possesses Degree or Diploma in Architecture from a recognised institution.

Or

(ii) Has passed Intermediate Examination in Architecture leading to degree or diploma referred to in (i) above.

Or

(iii) Intermediate examination in Town Planning from a recognised University/Institution or equivalent.

Or

(iv) Diploma in Civil or Municipal Engineering and has three years experience in drawing work in the Town Planning or Architectural Organisation or under a qualified Town Planner/Architect after passing either of the examination.

Desirable: The candidate should possess the knowledge of customs, manners and dialects of Himachal Pradesh and suitability for appointment in the peculiar conditions prevailing in the Prades.

Essential: (i) Possesses degree or diploma in Architecture from a recognised institution.

Or

(ii) Has passed Intermediate examination in Architecture leading to degree or diploma referred to in (i) above.

Or

(iii) Intermediate examination in Town Planning from a recognised University/Institution or equivalent.

Or

(iv) Diploma in Civil or Municipal Engineering and has three years experience in drawing work in the Town Planning or Architectural organisation Or under a qualified Town Planner/Architect after passing either of the examination.

Or

(v) Degree/National Diploma in Architecture/Landscape Architecture.

Or

(vi) Master's Degree in Sociology/Economics/Geography followed by Degree/Diploma in Town and Country Planning

from a recognised Institution/University.

Desirable.—Post Graduate Degree/Diploma in Town Planning/Urban Design/Landscape Architecture.

(ii) Knowledge of customs, manners and dialects of H.P. and suitability for appointment in the peculiar conditions prevailing in the Prades.

11. *By promotion:*—

(i) From amongst the Senior Architectural Draftsman with 2 years regular service in the grade, failing which

By promotion from amongst:

(i) Junior Architectural Draftsman/Junior Draftsmen/Head Draftsmen who have at least 3 years experience in Town Planning in the above grade or grades combined: 50%.

(ii) Junior Engineers having at least 5 years experience in Town Planning failing which by direct recruitment: 25%

The following roster is prescribed:—

1st post—Junior Draftsmen/Junior Architectural Draftsmen/Head Draftsmen.

2nd post—Junior Engineers.

3rd post—Junior Draftsmen/Junior Architectural Draftsmen/Head Draftsmen.

4th post—Direct recruitment, and the roster will repeat itself.

H. C. MALHOTRA,
Secretary.

राजस्व विभाग

अधिसंचयन

ग्रिमला-2, 9 फरवरी, 1981

सं 0 3-12/73-रव-ए.—भारतीय संविधान के अनुच्छेद 309 के परन्तु में प्रदत्त शक्तियों तथा इस सम्बन्ध में अन्य सभी शक्तियों का प्रयोग करते हए राज्यपाल, हिमाचल प्रदेश राजस्व विभाग में हिमाचल प्रदेश भू-एकांकीकरण विभाग तृतीय श्रेणी अराजपत्रित (तकनीकी) सेवा, भर्ती, पदोन्नति तथा सेवाओं की अन्य गतें नियम, 1973 जो इस विभाग को सभ संख्यक अधिसूचना दिनांक 28-12-73 द्वारा अधिसंचयन किये गये हैं तथा सभ म-सभ य पर संशोधित किये गये हैं, में और संशोधन करने हेतु निम्नलिखित नियम बनाते हैं:—

1. संक्षिप्त नाम तथा प्रारम्भ:

(1) इन नियमों को हिमाचल प्रदेश भू-एकांकीकरण विभाग तृतीय श्रेणी अराजपत्रित (तकनीकी) सेवा, भर्ती,

पदोन्नति तथा सेवाओं की अन्य जरूरि (प्रथम संशोधन) नियम.
1981 कहा जाए।

(2) यह नियम हिमाचल प्रदेश राजपत्र में प्रकाशित होने की तिथि से प्रारम्भ होगी।

2. नियम 7 (iii) में संशोधन

The existing sub-rule (iii) of Rule 7 of the H.P. Consolidation of Holdings Department Class III Non-Gazetted (Technical) Services, Recruitment, Promotion and certain conditions of Service Rules, 1973 shall be deleted and substituted as under:—

“Patwari candidates.”—A register of candidates will be maintained in the Department of Consolidation of Holdings by the Director and will be kept in Form ‘A’ as below:—

(a) Patwari candidates shall be accepted from amongst the candidates sponsored by the Employment Exchange who have passed the Matriculation or Higher Secondary Examination of a recognised Board or University, by a Departmental Recruitment Committee consisting of the following officers:—

(i) Director, Consolidation of Holdings, Himachal Pradesh (Chairman).
(ii) Deputy Director of Land Records, Himachal Pradesh (Member).
(iii) Settlement Officer (Consolidation), Hamirpur, Himachal Pradesh (Member).
(b) The acceptance of the candidates shall be made according to the instructions of the Government regarding recruitment applicable from time to time.
(c) Percentage of reservation if any prescribed by the Government from time to time for reserved categories e.g., Scheduled Castes/Tribes, ex-servicemen and other Backward Class etc., shall be followed while accepting the patwari candidates.

(d) The total number of accepted candidates in the Department shall not exceed 30% of the total number of patwaris employed in the Department. Any further increase in this percentage shall be subject to the previous sanction of the Financial Commissioner-cum-Secretary (Revenue) to the Government of Himachal Pradesh.

(e) During the period of candidature the accepted candidates shall not be entitled to any remuneration.
(f) The name of an accepted candidate who engages in money lending or in such transactions as would, if he was a patwari, involves his dismissal, shall be struck off the register. The Director shall scrutinize the register atleast once a year and remove the names of all candidates who (i) have failed to pass the patwari examination in three years unless there are special reasons justifying retention, (ii) have obtained permanent post of any kind (iii) have failed to take up officiating appointments offered to them, or (iv) have reached the age of 30 years without obtaining a permanent appointment as patwari or (v) have proved inefficient during the tenure of officiating appointments.

Note.—The rules in respect of patwari examination and age limit may, in cases of real hardship be waived of by the Financial Commissioner-cum-Secretary (Revenue) to the Government of Himachal Pradesh.

Patwaris who have not passed the patwari examination shall not be entitled to the grant of annual increments until they qualify the same.

By order,
P. P. SRIVASTAVA,
Financial Commissioner-cum-Secretary.

TOURISM DEPARTMENT
NOTIFICATIONS

Simla-171002, the 7th February, 1981

No.3-9/80-TD(Sectt).—The Governor, Himachal Pradesh is pleased to make the following amendment in the Himachal Pradesh Grants-in-aid to the Himachal Pradesh Tourism Development Corporation Ltd., Rules published in the Himachal Pradesh Rajpatra, dated 28-4-1979 *vide* this Government Notification No. 241/74-TD (Sectt. dated 19-1-1979):—

AMENDMENT

After the existing clause (iv) of rule 2 of the said rules the following clause (v) shall be inserted, namely:—

(v) “Government” means the Government of Himachal Pradesh in the Tourism Department.”

Simla-2, the 7th February, 1981

No. 2-3/79-TD(Sectt).—In exercise of the powers vested under proviso to article 309 of the Constitution of India and all other powers enabling him in this behalf, the Governor, Himachal Pradesh is pleased to make the following amendments in the Recruitment and Promotion Rules in respect of Himachal Pradesh Tourism Department Class-III (Non-Gazetted) Services notified *vide* Notification No. 2-23/76-TD., (Sectt., dated 9-11-1978:

(1) The existing provision for relaxation of Rules, under Rule 11 of the Rules shall stand substituted as under:—

“Rule 11.—Where the Government is of the opinion that it is necessary or expedient to do so, it may by order, for reasons to be recorded in writing and in consultation with the Himachal Pradesh Public Service Commission, relax any of the provisions of these Rules with respect to any class or category of persons or post.”.

(2) Rule 5(1) shall be deleted and Rule 5(2) and 5(3) shall be renumbered as Rule 5(1) and 5(2) respectively whereafter the footnotes shall be added as under:—

“FOOTNOTES:—

1. A candidate for appointment to any service or post must be:

- (a) a citizen of India, or
- (b) a subject of Nepal, or
- (c) a subject of Bhutan, or
- (d) a Tibetan refugee who came over to India before the 1st January, 1962 with the intention of permanently settling in India, or
- (e) a person of Indian origin who has migrated from Pakistan, Burma, Sri Lanka, East African Countries of Kenya, Uganda, the United Republic of Tanzania (formerly Tanganyika and Zanzibar), Zambia, Malawi, Zaire and Ethiopia with the intention of permanently settling in India.

Provided that a candidate belonging to categories (b), (c), (d) and (e) shall a person in whose favour a certificate of eligibility is necessary may be admitted to an examination or interview conducted by the H.P.S.C. or other recruiting authority, but the offer of appointment maybe given only after the necessary eligibility certificate has been issued to him by the Government of India/Government of Himachal Pradesh.

2. Upper age limit for direct recruits will not be applicable to the candidates already in the service of the Government.
3. Upper age-limit is relaxable for ST/SC candidates and other categories of persons to the extent permissible under the general or special orders of the H.P. Government.
4. Age-limit for direct recruits will be reckoned from the last date fixed for receipt of applications by the Commission.
5. Age and experience for direct recruits relaxable at the discretion of the Commission in the case of candidates otherwise well-qualified.

6. Provisions of columns 10 and 11 are to be revised by the Government of Himachal Pradesh in consultation with the Commission as and when the number of posts under column 2 are increased or decreased.
7. Selection for appointment to these posts in the case of direct recruitment, shall be made on the basis of *viva voce* test, if the Commission so considers necessary or expedient by a written test, the standard syllabus etc. of which will be determined by the Commission or a practical test.
8. In all cases where a junior person becomes eligible for consideration by virtue of his total length of service (including *ad hoc* one) in the feeder post, all persons senior to him in the respective category shall be deemed to be eligible for consideration and placed above the junior persons in the field of consideration:

Provided that all incumbents to be considered for promotion/confirmation shall possess the minimum qualifying service of at least three years or that prescribed in the Relevant recruitment and Promotion Rules for the post whichever is less;

Provided that where a person becomes ineligible to be considered for promotion/confirmation, on account of the requirement prescribed in the preceding proviso, the person(s) junior to him shall also be deemed to be ineligible for consideration for such promotion/confirmation.

9. The employees of all the public sector corporations and autonomous bodies who happened to be Government servants before absorption in public sector corporation/autonomous bodies shall be allowed age-concession in direct recruitment as admissible to Government servants. This concession will not, however, be admissible to such staff of the public sector corporations/autonomous bodies who were/are subsequently appointed by such corporations/autonomous bodies and are/were finally absorbed in the service of such corporations/autonomous bodies after the initial constitution of the public sector corporations/autonomous bodies.
10. The appointments to this service shall be subject to orders regarding reservation in the services for Scheduled Castes/Scheduled Tribes/Backward Classes issued by the Himachal Pradesh Government from time to time.”.

(3) In Annexure-1 to the Rules, at Serial No. 1 the following pay scales be substituted in column No. 5:

1. Inspector (Hotels) .. Rs. 570—1080
2. Assistant .. Rs. 570—1080
3. Clerks .. Rs. 400—600.

Simla-171002, the 7th February 1981

No. 2-3/79-TD(Sectt).—In exercise of the powers vested under proviso to article 309 of the Constitution of India and all other powers enabling him in this behalf, the Governor, Himachal Pradesh is pleased to make the following amendments in the Recruitment and Promotion Rules in respect of Class-III (Ministerial) Services for the post of Head Assistant in Himachal Pradesh Tourism Department as in Annexure-1, notified *vide* Notification No. 2-23/76-TD(Sectt), dated 26-7-1979:—

- (1) Substitute 'Superintendent Grade-III' in place of Head Assistant.
- (2) Scale of Pay Rs. 750-1300 in place of Rs. 300-550 at Serial No. 4 in Annexure-1.
- (3) Substitute 'experience' in place of 'qualifications' in the foot note at Serial No. 5.

By order,
ANANG PAL,
Commissioner-cum-Secretary.

TRIBAL DEVELOPMENT DEPARTMENT

NOTIFICATIONS

Simla-171002, the 27th January, 1981

No. PLG(A)3-4/77.—In accordance with the decision of the Government as contained in Office Memo. No. PER (AP-II)A(3)-2/80, dated 25-11-1980, from the Deputy Secretary (Personnel) to the Government of Himachal Pradesh, addressed to all the Administrative Secretaries to the Government of Himachal Pradesh, the Governor, Himachal Pradesh, is pleased to substitute the enclosed foot notes for the foot notes appended to the Recruitment and Promotion Rules in respect of Ministerial Staff (Class-III) of the office of the Commissioner for Tribal Development, Himachal Pradesh, notified *vide* this Department notification of even number dated the 24th May, 1978.

ANNEXURE

FOOT-NOTES

1. A candidate for appointment to any service or post must be:

- (a) a citizen of India, or
- (b) a subject of Nepal, or
- (c) a subject of Bhutan, or
- (d) a Tibetan refugee who came over to India before the 1st January, 1962 with the intention of permanently settling in India, or
- (e) a person of Indian origin who has migrated from Pakistan, Burma, Sri Lanka, East African Countries of Kenya, Uganda, the United Republic of Tanzania (formerly Tanganyika and Zanzibar), Zambia, Malawi, Zaire and Ethiopia with the intention of permanently settling in India:

Provided that a candidate belonging to categories (b), (c), (d) and (e) shall be a person in whose favour a certificate of eligibility has been issued by the Government of India/State Government.

A candidate in whose case a certificate of eligibility is necessary may be admitted to an examination or interview conducted by the Himachal Pradesh Public Service Commission or other recruiting authority, but the offer of appointment may be given only after the necessary eligibility certificate has been issued to him by the Government of India/Government of Himachal Pradesh.

2. Upper age-limit for direct recruits will not be applicable to the candidates already in the service of the Government.
3. Upper age-limit is relaxable for Scheduled Castes/Tribes candidates and other categories of persons to the extent permissible under the general or special orders of the Himachal Pradesh Government.
4. Age-limit for direct recruits will be reckoned from the last date fixed for receipt of applications by the Commission.
5. Age and experience for direct recruits, relaxable at the discretion of the Commission, in the case of candidates otherwise well qualified.
6. Provisions of columns 10 and 11 are to be revised by the Government in consultation with the Commission as and when the number of posts under column 2 are increased or decreased.
7. Selection for appointment to these posts in the case of direct recruitment, shall be made on the basis of *viva voce* test, if the Commission so considers necessary or expedient by a written test, the standard/syllabus of which will be determined by the Commission or practical test.
8. In all cases where a junior person becomes eligible for consideration by virtue of his total length of service (including *ad hoc* one) in the feeder post, all persons senior to him in the respective category shall be deemed to be eligible for consideration and placed above the junior persons in the field of consideration:

Provided that all incumbents to be considered for promotion/confirmation shall possess the minimum qualifying service of at least three years or that prescribed in the relevant recruitment and promotion rules for the post whichever is less:

Provided further that where a person becomes ineligible to be considered for promotion/confirmation, on account of the requirement prescribed in the preceding proviso, the person(s) junior to him shall also be deemed to be ineligible for consideration for such promotion/confirmation.

9. The employees of all the public sector corporations and autonomous bodies who happened to be Government Servants before absorption in public sector corporation/autonomous bodies, at the time of initial constitution of such corporations/autonomous bodies shall be allowed age-concession in direct recruitment as admissible to Government servants. This concession, will not, however, be admissible to such staff of the public sector corporations/autonomous bodies who were/are subsequently appointed by such corporations/autonomous bodies and are/were finally absorbed in the service of such corporations/autonomous bodies after the initial constitution of the public sector corporations/autonomous bodies.

10. The appointments to this service shall be subject to orders regarding reservation in the services for Scheduled Castes/Scheduled Tribes/Backward Classes issued by the Himachal Pradesh Government from time to time.

11. Where the Government is of the opinion that it is necessary or expedient to do so, it may, by order, for reasons to be recorded in writing and in consultation with the Himachal Pradesh Public Service Commission, relax any of the provisions of these rules with respect to any class or category of persons or posts.

2. Upper age-limit for direct recruits will not be applicable to the candidates already in the service of the Government.

3. Upper age-limit is relaxable for Scheduled Castes/Tribes candidates and other categories of persons to the extent permissible under the general or special orders of the Himachal Pradesh Government.

4. Age-limit for direct recruits will be reckoned from the last date fixed for receipt of applications by the Commission.

5. Age and experience for direct recruits relaxable at the discretion of the Commission, in the case of candidates otherwise well-qualified.

6. Provisions of columns 10 and 11 are to be revised by the Government in consultation with the Commission as and when the number of posts under column 2 are increased or decreased.

7. Selection for appointment to these posts in the case of direct recruitment, shall be made on the basis of *viva voce* test, if the Commission so considers necessary or expedient by a written test, the standard/syllabus of which will be determined by the Commission or a practical test.

8. In all cases where a junior person becomes eligible for consideration by virtue of his total length of service (including *ad hoc* one) in the feeder post, all persons senior to him in the respective category shall be deemed to be eligible for consideration and placed above the junior persons in the field of consideration:

Simla-171002, the 27th January, 1981

No. PLG-A(3)-3/76.—In accordance with the decision of the Government as contained in office memo. No. PER (AP-II)A(3)-2/80, dated 25-11-1980, from the Deputy Secretary (Personnel) to the Government of Himachal Pradesh, addressed to all the Administrative Secretaries to the Government of Himachal Pradesh, the Governor, Himachal Pradesh is pleased to substitute the enclosed foot notes for the foot notes appended to the Recruitment and Promotion Rules in respect of the Class-III posts (Non-Gazetted) Ministerial in the Department of Commissioner for Tribal Development, Himachal Pradesh meant for the officers of Project Officers, I.T.D.P., notified *yide* this department notification of even number dated 1-11-1977.

ANNEXURE

FOOT NOTES

1. A candidate for appointment to any service or post must be:

- a citizen of India, or
- a subject of Nepal, or
- a subject of Bhutan, or
- a Tibetan refugee who came over to India before the 1st January, 1962 with the intention of permanently settling in India, or
- a person of Indian origin who has migrated from Pakistan, Burma, Sri Lanka, East African Countries of Kenya, Uganda, the United Republic of Tanzania (formerly Tanganyika and Zanzibar), Zambia, Malawi, Zaire and Ethiopia with the intention of permanently settling in India:

Provided that a candidate belonging to categories (b), (c), (d) and (e) shall be a person in whose favour a certificate of eligibility has been issued by the Government of India/State Government.

A candidate in whose case a certificate of eligibility is necessary may be admitted to an examination or interview conducted by the Himachal Pradesh Public Service Commission or other recruiting authority, but the offer of appointment may be given only after the necessary eligibility certificate has been issued to him by the Government of India/Government of Himachal Pradesh.

Provided that all incumbents to be considered for promotion/confirmation shall possess the minimum qualifying service of at least three years or that prescribed in the relevant Recruitment and Promotion Rules for the post whichever is less:

Provided further that where a person becomes eligible to be considered for promotion/confirmation, on account of the requirement prescribed in the preceding proviso, the person(s) junior to him shall also be deemed to be ineligible for consideration for such promotion/confirmation.

9. The employees of all the public sector corporations and autonomous bodies who happened to be Government Servants before absorption in public sector corporation/autonomous bodies, at the time of initial constitution of such corporations/autonomous bodies shall be allowed age-concession in direct recruitment as admissible to Government servants. This concession will not, however, be admissible to such staff of the public sector corporations/autonomous bodies who were/are subsequently appointed by such corporations/autonomous bodies and are/were finally absorbed in the service of such corporations/autonomous bodies after the initial constitution of the public sector corporations/autonomous bodies.

10. The appointments to this service shall be subject to orders regarding reservation in the services for Scheduled Castes/Scheduled Tribes/Backward Classes issued by the Himachal Pradesh Government from time to time.

11. Where the Government is of the opinion that it is necessary or expedient to do so, it may, by order, for reasons to be recorded in writing and in consultation with the Himachal Pradesh Public Service Commission, relax any of the provisions of these rules with respect to any class or category of persons or posts.

VIDHAN SABHA SECRETARIAT

NOTIFICATION

Simla-171004, the 14th April, 1981

No. 2-64/79-VS.—In exercise of the powers vested in him under rule 330 of the Rules of Procedure and Conduct of Business of the Himachal Pradesh Legislative Assembly, 1973, the Hon'ble Speaker has directed that the following amendment to the aforesaid rules approved by the House under Rule 260 (c) *ibid* and which came into force with effect from the 9th April, 1981, be published for general information—

AMENDMENT TO THE RULES OF PROCEDURE AND CONDUCT OF BUSINESS OF THE HIMACHAL PRADESH LEGISLATIVE ASSEMBLY, 1973

Rule 231

The existing rule 231 may be substituted with the following:—

'231. Constitution of the Committee.—The Committee on Privileges consisting of 7 members including the Deputy Speaker shall be nominated by the Speaker. The Deputy Speaker shall be the Chairman of the Committee. In the event of the occurrence of vacancy in the office of Deputy Speaker, or when the Deputy Speaker is unable for illness or any other cause to chair the Committee, a Chairman shall be appointed by the Speaker from amongst the other members of the Committee."

By order,
RAJ KUMAR MAHAJAN,
Secretary.

A. N. VIDYARTHI,
Secretary.

नाम 4—स्थानीय व्यायात शासन: इन्डिसिप्ल बोर्ड, डिस्ट्रिक्ट बोर्ड, नोटिफिकेशन और टाउन एरिया तथा पंचायती राज विभाग
ग्रन्ति

नाम 5—वैयक्तिक अधिसूचनाएं और विज्ञापन

In The Court of District Judge, Kangra Division at
Dharamsala
Succession Act Case No. 9 of 1980
Mani Ram *Versus* General Public.

Application u/s 372 of Indian Succession Act
To

The General Public.

Whereas the above named petitioner Sh. Mani Ram has filed an application under section 372 of Indian Succession Act for the grant of Succession Certificate in respect of the assets of late Sh. Partap Bhadur s/o Mani Ram of Binwa Hydel Project Utrala Colony Baijnath, Tehsil Palampur. Distt. Kangra who died on 9-4-1980.

This proclamation is hereby issued to the general public to file objections, if any, against the grant of Succession Certificate in favour of the petitioner on or before 30-5-1981 at 10 A.M. failing which proceedings will be initiated in accordance with law.

Given under my hand and the seal of the court on this 29th day of April, 1981.

Seal.

Sd/-
District Judge,
Kangra at Dharamsala.

In The Court Shri Surindra Parkash, District Judge, Simla, Bilaspur and Kinnaur Districts at Simla-171001
S.A. 28-S/2 of 1980.

1. Sq.Ldr. Sushil Kumar Puri son of Shri Ram Lubya Mall Puri, 6, The Mall, Simla.

WELFARE DEPARTMENT

NOTIFICATION

Simla-2, the 11th February, 1981

No. WLF.A(3)-14/75.—The Governor of Himachal Pradesh is pleased to make the following rules to amend the H.P. Old Age Pension Rules as notified *vide* this Department Notification No.12-2/71Wei, Secy., dated the 28th February, 1973 and further amended *vide* notification No. WLF.A(3)-14/75, dated the 29-8-1977, 9-8-1978, 29-9-1978, 25-11-1978, 15-9-1979, 20-2-1980, 27-9-1980, 10-11-1980 and 6-1-1981, namely:—

THE H.P. OLD AGE PENSION (TENTH AMENDMENT) RULES, 1981

1. Short title and commencement.—(i) These rules shall be called 'H.P. Old Age Pension (10th Amendment) Rules, 1981.

(ii) These shall come into force with effect from the date of issue of this notification.

2. Amendment to Rule 1(i).—(1) For the existing nomenclature of the aforesaid Rules the following shall be substituted:—

1. (i) These rules shall be called H.P. Old Age Pension and Relief to Disabled Persons Rules.

Explanation.—The financial assistance to the old and destitute persons shall be deemed as "Old Age Pension", whereas such assistance to the disabled persons shall be deemed as "Relief allowance to the disabled persons".

(2) The word "Old Age Pension" wherever occurring these Rules/Forms shall be substituted by the word "Old Age Pension/Relief Allowance to Disabled Persons".

A. N. VIDYARTHI,
Secretary.

2. Smt. Lila widow of Shri R.L.M. Puri, resident of No. 6, The Mall, Simla (widow) *... Petitioners.*

Versus

1. The General Public.
2. Mrs. Veena Khanna wife of Lt. Col. N.R. Khanna, T.P.A., resident of 85/B, Golf View, Mahw (MP).
3. Mrs. Neena Sayal wife of Maj. S.K. Sayal, 7-A, Ranger Hills, Kirkee, Poona.
4. Mrs. Neera Dhiungra wife of Mr. Deepak Dhiungra D-6, Green Park Extension, New Delhi-110016 *... Respondents.*

Petition for grant of Succession Certificate under section 372 of the Indian Succession Act to the Estate of Shri Ram Lubya Mal Puri.

Whereas in the above noted case the petitioners Sq. Ldr. Sushil Kumar Puri & Smt. Lila Wati, r/o. 6, The Mall, Simla has moved an application under section 372 of the Indian Succession Act for the grant of Succession Certificate in respect of the debts and securities of late Shri R.L.M. Puri.

The notice is hereby given to the general public, relations and the kinsman of the deceased that if any body has got any objection to the grant of said certificate the same be filed in the court on 22-5-1981 at 10 A.M. otherwise the petition will be heard and decided *ex parte*.

Given under my hand and the seal of this court this 27th day of April, 1981.

Seal.

SURENDRA PARKASH,
District Judge, Simla, Division at Simla.
171001.

IN THE COURT OF SHRI JANESHWAR GOEL,
SENIOR SUB-JUDGE, KANGRA AT DHARAMSALA

Succession Act, Case No. 7 of 1980
Smt. Billo Devi wd/o Mahal Singh Chandel, r/o Hadwal,
P.O. Dhameta, Tehsil Nurpur, Distt. Kangra.
Petitioner.

Namrata Dhawan daughter of Shri Kashmire Lal Dhawan
(minor) petitioners No. 2 and 3 through Shri Kashmire
Lal Dhawan their mother . Petitioners.

Versus

The General Public

Respondent.

Versus

The General Public

Respondent.

Whereas the above named petitioner have applied for the grant of succession certificate to the estate of Shri Mahal Singh Chandel, r/o Dhameta, Tika Anoh in Nurpur under section 372 of Indian Succession Act.

Notice is hereby given to the general public that any body having any objection against the above said application should attend this office/court on 1-6-1981 at 10 A.M. and file objections if any, failing which *ex parte* proceedings will be taken against the general public.

Given under my hand and seal of the court this 9th day of April, 1981.

Seal. **JANESHWAR GOEL,**
Senior Sub-Judge, Kangra at Dharamsala.

In the Court of Shri M. R. Chauhan, Sub-Judge 1st
Class Chumarwin, District Bilaspur, H.P.

Civil Suit No. 44/1 of 1980.
Jai Ram s/o Shri Ganga Ram, caste Brahman r/o
Village Bhadol, Pargana Gherwin, Tehsil Ghumarwin,
District Bilaspur, H.P. Plaintiff.

Versus

Jai Kishan s/o Masat Ram, caste Brahman r/o
village Bhadol, Pargana Gherwin, Tehsil Ghumarwin,
District Bilaspur, H.P. Defendants.

Suit for possession
Proclamation under Order 5, Rule 20, C.P.C.

To

1. Jai Kishan, s/o Masat Ram, Village Bhadol.
2. Roshan Lal, -do-
3. Tulsu Ram s/o Ganga Ram, caste Brahman,
r/o village Bhadol, Pargana Gherwin, Tehsil
Ghumarwin, District Bilaspur, H.P.
Defendants.

Whereas in the above noted case, it has been proved to the satisfaction of this court that the defendants No.1 to 3 are evading the service of the summons and cannot be served in the normal course of service.

Hence this proclamation is hereby issued against them to appear in this court on 28-5-1981 at 10 A.M. personally or through an authorised agent or pleader to defend the case failing which an *ex parte* proceedings will be taken against them.

Given under my hand and the seal of the court to-day this 29th day of April, 1981.

Seal.

M. R. CHAUHAN,
Sub-Judge.

IN THE COURT OF SHRI J.L GUPTA, SUB-JUDGE,
1ST CLASS, NURPUR, DISTT. KANGRA

In Case No. S.C. No. 2 of 1979

1. Shri Kashmire Lal Dhawan, Head Draftsman, P.W.D
Division, Nurpur, 2. Shri Anuvinder Dhawan son. 3.

Namrata Dhawan daughter of Shri Kashmire Lal Dhawan
(minor) petitioners No. 2 and 3 through Shri Kashmire
Lal Dhawan their mother . Petitioners.

Versus

The General Public

Respondent.

Whereas in the above noted case, the petitioners have filed an application in the Estate of late Smt. Naresh Dhawan, resident of Nurpur of District Kangra, H.P.

Notice is hereby issued to the General Public that if any body, near relative or kinsman of the deceased has got any objection in the grant of the succession certificate to the petitioners, any may file on or before 12-6-1981, afterwards no objection will be entertained.

Given under my hand and the seal of this court on this 20th day of April, 1981.

Seal.

J. L. GUPTA,
Sub-Judge, 1st Class, Nurpur,
District Kangra.

IN THE COURT OF SHRI J. L. GUPTA SUB-JUDGE
1ST CLASS, NURPUR, DISTRICT KANGRA

Succession Certificate Appl. No. 5 of 1980

Smt. Basanti Devi d/o Tulsi Devi, r/o Bari, Teh. Nurpur,
at present village Barring, P.O. Beh Khuhalan, Tehsil
Dasuya, District Hoshiarpur

Versus
The General Public

Respondent.

Whereas in the above noted case Smt. Basanti Devi has filed an application for the grant of succession certificate in the Estate of Shri Sarnu s/o Mohru, r/o Bari, Teh. Nurpur, District Kangra.

Notice is hereby issued to the General Public that if anybody, near relative or kinsman of the deceased has got any objection in the grant of the succession certificate to the petitioner may file on or before 11-6-1981, afterwards no objection will be entertained.

Given under my hand and the seal of this court on this 20th day of April 1981.

Seal.

J. L. GUPTA,
Sub-Judge, 1st Class Nurpur, Distt. Kangra.

व्रतान्तर श्री लक्ष्मण सिंह क्षेत्र, ममाहर्ता, उप-मण्डल मोनन.

जिला मोनन

मुकदमा नं० 49/8-80

तारीख रज्ञा 29-12-80

श्रीमती उर्मिला देवी पत्नी श्री नेक राम, निवासी गांव डमरोग,
परगना क्षेत्र-अव्वल, तहसील व जिला मोनन

प्राची

वनाम

1. श्री गोपाल सिंह, 2. हिरा सिंह, 3. शंकर, 4. रंदी राम पुरवण
राम सिंह, निवासी आन्जी, तहसील कसोली, जिला मोनन, 5. हृषि
राम, 6. विश्व हिंद, 7. तुला राम, 8. हृष्म सिंह, 9. जानू देवी,
10. जय देवी, 11. सरस्वती देवी, 12. कोश्या देवी, 13.
विद्या देवी पुत्रियां श्रीमती जानकी देवी पुरुष राम सिंह, निवासी
बड़ोह, तहसील कसोली, जिला मोनन

ईश्तहार अन्तर्गत आज्ञा 5, नियम 20, भारतीय ०४०८०८०

उपरोक्त पुनरावेदन में करीक दीयम उपरोक्त दर्शये गए 1 ता 13

इष्टहार जेर आर्डर 5 रु 20 सी०पी०सी०
वप्रदालत जनाव श्री जगत सिंह जमवाल, सहायक कुलैक्टर,
द्वितीय श्रेणी, तहसील करसोग

मिसल नं० 146 तारीख मरजूआ 4-10-79
करमिया

वनाम

श्रीमती कुसमु वर्गेरा

दरखस्त सेहत पिरदारी खाता नं० 27/70 मिन खसरा नं० 495 रक्वा 0-4-10 बीधा वाया मुहाल भनोल, इलाका गमानी, पांगणा ।

तलवी:— 1. श्रीमती कुसमु पत्नी हरीग चन्द, 2. विहनू पुत्र जिवनु, निवासी भनोल, इलाका गमानी, पांगणा ।

उपरोक्त मुकदमा उनवान वाला में उपरोक्त फरीक दोयम को कई बार अदालत हजा से समनात बराय पैरवी मुकदमा जारी किए गए मगर फरीक दोयम जाय सकूनत पर दस्तयाव नहीं हो रहे हैं और तामील समन से गुरेज कर रहे हैं। अदालत को पूर्ण विवास हो चुका है कि फरीक दोयम पर तामील समन साधारण तरीका से होनी कठिन है। अतः श्रीमती कुसमु व विहनू फरीक दोयम को इष्टहार आर्डर 5, रु 20, सी०पी०सी० द्वारा सूचित किया जाता है कि आप दिनांक 26-5-81 समय 10 बजे सुबह मुकाम करसोग असालतन व वकालतन उपस्थित होकर पैरवी मुकदमा करें वसूलत दीगर कार्यवाही एक तरफा अमल में लाई जावेगी ।

आज दिनांक 28-4-81 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ ।

मोहर ।

जे० एस० जमवाल,
सहायक कुलैक्टर, द्वितीय श्रेणी,
तहसील करसोग, हिमाचल प्रदेश ।

HIMACHAL PRADESH FINANCIAL CORPORATION SIMLA NOTIFICATIONS

Simla-171001, 10th April, 1981

No. HPFC/15-27/78.—Whereas M/s Swastik Industries (India), 41-42 Industrial Area Parwanoo, District Solan (H.P.) a sole proprietary concern of Shri Brij Kumar Mittal s/o Shri Parkash Chander Mittal, resident of Rural Industrial Estate, Pinjore, District Ambala (Haryana) were sanctioned a loan of Rs. 4,53,000/- (Rupees four lacs fifty three thousand only) by the Himachal Pradesh Financial Corporation for the manufacturing of Cycle cranks at 41-42, Sector-1, Industrial Area Parwanoo, District Solan (H.P.).

And whereas for securing the repayment of the said loan and interest thereon the said industrial concern executed a mortgage deed dated 31.12.1976 in favour of the Corporation, mortgaging the properties mentioned in Annexure 'A' hereto. In the said mortgage deed it was inter-alia agreed by the said industrial unit that repayment of the loan amount would be made in accordance with the repayment schedule entered in the said mortgage deed besides interest.

And whereas the said industrial unit has committed defaults in repayment of the loan amount according to the said repayment schedule and also of interest and has failed to honour its undertakings and commitments and has not so far cared to clear the outstanding defaults despite demands and notices served upon it, and whereas according to the terms of the aforesaid document the entire amount together with interest upto the date of realisation of the full amount has become due for payment at once which has accumulated to Rs. 2,69,324.24 as on 13.3.81 including interest upto 9-12-80.

Therefore, the Himachal Pradesh Financial Corporation has decided to take over the possession of the said industrial unit M/s Swastik Industries (India), Parwanoo under section 29 (1) of the State Financial Corporations Act, 1951 (Central Act. No. 63 of 1951) with a right to transfer by way of lease or sale of the property mortgaged under the said mortgage deed to the Himachal Pradesh Financial Corporation and realize therefrom its outstanding dues, in case the said industrial unit fails to clear its outstanding liability to the Corporation within fifteen days from the date of publication of this notification.

ANNEXURE 'A'

PARTICULARS OF MORTGAGED PROPERTIES MENTIONED HEREINABOVE

Lease hold rights of the land measuring 2114 square metres comprised in Plots No. 41 (1509 square metres) and plot No. 42 (605 square metres) situated at Industrial Area, Parwanoo, together with the buildings constructed thereon alongwith appurtenants, rights, tenuements and hereditaments as well as the fixtures and fittings and electric installations and plant and machinery as detailed below:—

1. Steel fabricated friction screw Press with accessories without motor, 350 tonnes capacity.	One
2. 20 HP 3 Phase 1440 RPM motor for the above with starter and switch.	One
3. Steel body power Press, all steel fabricated 150 tonnes capacity. Wheel and gear dia 48", shaft dia 8".	Two
4. 10 H.P. 3 phase 1440 RPM induction motor with starter and switch.	Two
5. Steel body all fabricated power press 50 tonnes capacity 2-1/2" fixed stroke.	Two
6. 5 HP 3 phase 1440 RPM induction motor with starter	Two
7. Special purpose single stand rolling Machine for crank forming, dia of rolls 8"	one
8. 20 HP phase 1440 RPM induction motor with starter and switch.	one
9. oil fired furnace with 2 burners and one blowers 30" 18" X 15" chamber size.	one
10. 3 HP 3 phase 2800 RPM with starter	one
11. Double head bench grinder with 2 HP motor.	Three
12. Oil tanker with 15. K.L. capacity with M. S. sheet with motorised pump and pipe lining.	one
13. Die sets of die steel Friction crew press Rolling machine 150 ton press Bending die Head forging die 2 set cutting dies, 10 sets flesh cutting die.	2 sets
14. 1-1/2" capacity drilling machine with 1 HP motor and starter.	one
15. Drilling-cum-milling machine with 1 HP motor and starter.	one
16. 24" shaper with heavy duty with 3 HP motor.	one
17. 10" M.S. Rod capacity power Hack Saw with 1 HP motor and starter.	one
18. 6" Semi morton, heavy duty lathe with 3 HP motor, 2 dog chuck.	one
19. Electrical welding set.	one
20. Flexible grinder with 1 HP motor	one
21. Chain pulley block 5 tonnes with girder set	one
22. Tools accessories, wheel barrows measuring instruments.	one

Simla-1, the 21st April, 1981

No. HPFC/21-31/77.—The industrial concern named M/s Dinesh Carbons (P) Ltd. Jabli Distt. Solan (H.P) incorporated under the Companies Act, 1956, having committed defaults in honouring its undertaking and commitments and repaying the loan and interest in accordance with the terms of agreement dated 28-6-75 and hypothecation deed dated 4.7.1975 which it had executed in favour of Himachal Pradesh Financial Corporation, despite several demands and notices and further opportunity granted to it to clear the outstanding dues by the 30th March, 1980 vide notification No. HPFC/21-31/77-8795, dated 27-2-1980 published in the Himachal Pradesh Govt. Gazette dated 15th March, 1980, the Himachal Pradesh Financial Corporation has taken over the possession of the said industrial unit in pursuance of the said notification with effect from 21st Feb., 1981 under the provisions of Section 29(1) of the State Financial Corporations Act, 1951 (LXIII of 1951) as amended from time to time and found the following machinery and other items installed in the unit:—

MACHINERY:

1. Band saw with motor but without blades 1 No.
2. Circular cutters lying loose. 4 Nos.
3. Carboniser 8' dia. 22 ft. height without 1 No. quenching tank.
4. Blower without motor. 1 No.
5. Diesel Engine 8 HP without accessories. 1 No.
6. Conveyor belt structure 41 length in bad 1 No. share without belt and motor.
7. Condensers of 12 mm tube dia. 12 ft. long 1 No. with tubes inside (two sets of tube bungs.)
8. Spray cooler. 1 No.
9. Heating tank. 1 No.
10. Water pump (disassembled state) without 1 No. motor.
11. Carboniser 10 ft. dia. 35 ft. height with 1 No. condenser Quenching tanks, separating tanks etc. (containing about one truck load wooden chips) some pipe connections without flanges and open.
12. One blower with 3 HP motor without 1 No. belt.
13. One blower with motor 3 HP without 1 No. belt.
14. Belt conveyor about 45 ft. length roll 1 No. structure belt in bad shape motor 5 H P lying loose.
15. Stair cases. 2 Nos.
16. M. S. Tank about 4' x 5' x 4'. 1 No.
17. M. S. Tank partitioned of size about 1 No. 3' x 10' x 4'.
18. Pine Tar storage tanks of MS. 1 tonne 5 Nos. capacity each.
19. One chain pulley block 5 tonne with stand 1 No. legs lying loose.
20. One trolley one wheel.

MISCELLANEOUS:

1. Welding set with leads 1 No.
2. Bench drilling machine 1 No.
3. 2 hammers. 2 number keys one tool grinder Tools without stone.
4. Gas Cutter loose, with gas generator 1 No.
5. Weighing balance (Laboratory) without 1 No. weights.
6. Muffle furnace. 1 No.
7. Moisture measuring apparatus of glass. 1 set.
8. 3 flasks, glass tubes and empty glass bottles ..
9. One Iron gurder (about 7 ft. one channel about 7 ft. 4 tin sheets GGI, different lengths, some wooden planks (1 ft. to 3 ft.)
10. Wooden Office table. 1 No.
11. One wash Basin, one W.C., (fitted).
12. Iron Chairs, wooden frame but broken 4 Nos. seats.

13. Saw blade loose (of hand saw) 1 No.
14. One iron pipe piece (rusted) about 25 ft long and about 4" dia.
15. One drum 200 Its. capacity stated to be containing pine tar, but could not be opened.
16. Used empty drums (one without cover) 13 Nos. (about 200 Its. capacity).

BUILDINGS:

- (i) One building having brick work covered with tin sheets on wooden trusses having wooden partition including one brick wall divided into seven rooms with windows and doors having temporary wooden shutters.
- (ii) One open saw-mill shed covered with tin sheets on brick pillars over wooden purlins.
- (iii) One small laterin block having three cabins without doors.
- (iv) One labour hut on brick-mud mortor without doors with thatched roof in a dilapidated condition.
- (v) One small room, brick work with tin sheet coverage on wooden purlins for electric power and light control.

The Himachal Pradesh Financial Corporation also took over possession of land measuring 3 Bighas and 2 Biswas comprised in Khewat and Khatauni No. 1/1 min, Khasra No. 117/1, 119/1, 120/1, 123/1 and land measuring 1 Bigha 5 Biswas Comprised in Khewat Khatauni No. 12 min/15 min 2, Khasra No. 126/127 and lease hold rights in respect of land measuring 5 Bigha 9 Biswas comprised in Khewat Khatauni No. 17 min/21 min, Khasra No. 175 situated at Nauhan Pargana Basal, Tehsil Kasauli, District Solan (H.P).

Sd/-
General Manager.

NOTICE

Simla-1, the 20th April, 1981

No. HPFC/81.—In pursuance of Regulation 24 read with regulation 37 of the General Regulations of the Corporation, it is hereby notified that the Fourteenth Annual General Meeting of the shareholders of the Himachal Pradesh Financial Corporation will be held at the Head Office of the Corporation, 1st Floor, Kishore Bhawan, The Mall, Simla on Thursday the 25th June, 1981 at 11.00 A.M. (Standard time) to transact the following business:—

“To read and consider the Balance Sheet and the Profit and Loss Account of the Corporation for the year ended on 31st March, 1981 together with the report of the Board of Directors on the working of the Corporation throughout the year and the Auditors Report on the said Balance Sheet and Accounts.”

2. It is further notified that the Share register of the Corporation will remain closed and the registration of transfers suspended from the 26th May, 1981 to 25th June, 1981 (both days inclusive).

Notes:—1. The lists of share holders shall be available for purchase from the Head Office of the Corporation at a price of Re.1/- (Rupee one) per copy from 4th June, 1981.
2. The last date for the deposit of proxies shall be 17th June, 1981.
3. The last date for the deposit of certified copies of resolutions appointing duly authorised representative by companies including Co-operative Banks shall be the 20th June, 1981.
4. The written order of the State Government authorising any of its officers to act as its representative to be deposited before the time fixed for the meeting.

By order of the Board,
C.P. SUJAYA,
Managing Director.

THE BAR COUNCIL OF HIMACHAL PRADESH
SIMLA

NOTIFICATION

Simla-1, the 27th March, 1981

No. BCHP/56-72/160/1981.—Substitute the following for Rule 13 of the Election Rules of the Bar Council of Himachal Pradesh:—

13. (i) *Preliminary Electoral Roll.*—(1) the name of an Advocate appearing in the State Roll shall not be on the Electoral Roll, if on information furnished by the Advocate concerned in terms of rule 4 of the Bar Council of India Rules or information received or obtained by the State Bar Council concerned that:

- (a) his name has at any time been removed;
- (b) he has been suspended from practice, provided that this disqualification shall operate only for a period of five years from the date of the expiry of the period of suspension;
- (c) he is an undischarged insolvent;
- (d) he has been found guilty of an election offence in regard to an election to the State Bar Council by an Election Tribunal, Provided, however, that such disqualification shall not operate beyond the election next following after such finding has been made;
- (e) he is convicted by a competent court for an offence involving moral turpitude, provided that this disqualification shall cease to have effect after a period of two years has elapsed since his release;
- (f) he is in full-time service or is in such part-time business or other vocation not permitted in the case of practising Advocates by the rules either of the State Council concerned or of the Council;
- (g) he has intimated voluntary suspension of practice and has not given intimation of resumption of practice.

(2) Subject to the provisions of sub-rule (1), the name of every Advocate entered in the State Roll shall be entered in the Electoral Roll of the State Council.

(3) (a) In preparing the Electoral Roll, unless the State Bar Council concerned is already maintaining a list of Advocates who are entitled to be voters in terms of Rule 2 of the Bar Council of India Rules, at least 150 days before the date of election, shall publish notice issued by the Secretary of the State Bar Council concerned in the prescribed form in the Official Gazette and in two or more local news papers, one in English and the other of local language, as may be decided by the State Bar Council, asking each of the Advocates on the Roll of the concerned State Bar Council to intimate the State Bar Council within the time to be specified in the said notice or within such extended time as may be given/allowed by the State Bar Council for reasons to be recorded, as to whether he has incurred any disqualification mentioned in Rule 2 of the Bar Council of India Rules (Rule 2 has to be quoted in the notice). By the said notice the Secretary shall also inform the Advocates concerned that unless information required by the said notice in question is received by the State Bar council in the prescribed form or form exactly similar thereto, within the specified time or within the extended time as stated hereinabove, his name shall not be included in the Electoral Roll and he shall not be entitled to take part in the election in question.

(b) The Secretary of the Bar Council shall also send similar notice along with a prescribed form, to all Advocates on the Roll of the State Bar Council concerned at their respective addresses as maintained by the State Bar Council, in ordinary post with certificate of posting, asking the Advocate concerned to furnish all the informations mentioned in the said notice and the form attached therewith or in a form exactly similar thereto, either typed, printed or cyclostyled, within the time specified in the notice. Unless such information is furnished within the time specified, the name of the Advocate concerned shall not be included in the Electoral Roll, and he shall not be entitled to take part in the election in question.

(c) Before final publication of Electoral Roll a State Bar Council may, if satisfied, on an application made by any particular Advocate giving sufficient reasons for not being able to furnish the information sought in terms of rule (3)(b), allow the name of the Advocate who has made such application to be included in the Electoral Roll in question, and on such inclusion Advocate concerned shall be entitled to take part in the election in question. Any accidental omission to send the personal notice to any Advocate or Advocates shall not invalidate the election.

(4) A preliminary Electoral Roll containing the names of all Advocates whose names are required to be included under these rules, shall be put up on the notice board of the State Council within 120 clear days before the expiry of the term of the members of the said State Council necessitating the election, and relevant portion thereof shall be sent to such Bar Associations as the Secretary considers fit.

(ii) *Final Electoral Roll.*—The Final Electoral Roll shall be prepared after incorporating such changes as may be necessary, including the addition of the names of Advocates enrolled after the preparation of the Preliminary Electoral Roll and put up on the notice board of the State Council not more than 75 clear days and not less than 60 clear days before the date of election (intimation of such publication shall be given within a week after the publication to the Bar Associations aforesaid).

(iii) *Revision of Electoral Roll.*—If for any reason the election to the State Council is postponed beyond the date of expiry of the term of its members, the Preliminary and the final Electoral Roll shall be revised so as to include therein the names of Advocates enrolled upto 75 clear days before the date of election.

(iv) *Particulars to be maintained in the Electoral Roll.*—The Electoral Roll of the State Council shall inter alia contain the following particulars:—

- (i) serial number;
- (ii) number on the State Roll;
- (iii) name of the Advocate as on the Roll; and
- (iv) address of the Advocate.

(v) *Disqualification for being a candidate in the Election.*—The nomination of any person who at the date of scrutiny thereof is subject to any of the disqualifications referred to in Rule 2 of the Bar Council of India Rules, shall be rejected.

भाग 6—भारतीय राजपत्र इत्यादि में से पुनः प्रकाशन

खाद्य एवं आपूर्ति विभाग

आदेश

गिमला, 16 फरवरी, 1981

संख्या 5-1/72 कोप/एफ० एंड एस० भाग—9.—इस विभाग के आदेश संख्या 5-1/72 कोप (एफ० एंड एस०) भाग—9 दिनांक 8.1.81 जिसके अन्तर्गत भारत सरकार द्वारा जारी किये गये आदेश संख्या जी.सि.नि. 650 (आ) आ०००० चौनी दिनांक 13.11.80, को हिमाचल राज पत्र में प्रकाशित करने हेतु जारी किया गया था का अधिकमण्ण करते हुए भारत सरकार के आदेश संख्या जी.एस.आर. 644 (इ) इससे कोस/सुपर दिनांक 15-12-80, को पुनः सामान्य जनता की सूचना के लिए हिमाचल राजपत्र में प्रकाशित किया जाता है।

हस्ताक्षरित/-
आयुक्त एवं सचिव।

MINISTRY OF AGRICULTURE
(DEPARTMENT OF FOOD)

ORDER

New Delhi, the 15th December, 1980

G.S.R. 694(E)/Ess. Com./Sugar.—In exercise of the powers conferred by sub-section (3C) of section 3 of the Essential Commodities Act, 1955 (10 of 1955), the Central Government, hereby makes the following Order, namely:—

1. (1) This Order may be called the Sugar (Price Determination for 1980-81 Production) Amendment Order, 1980.

(2) It shall come into force at once.

2. In the Sugar (Price Determination for 1980-81 Production) Order, 1980,—

(a) in schedules I and II, Zone 'South Bihar' and entries relating thereto shall be deleted.

(b) in Schedule III,—

i) after the existing entries relating to Maharashtra Zone the following Zone and entries shall be inserted, namely:—

1	2	3	4	5	6	7
---	---	---	---	---	---	---

Karnataka 307.17 306.02 305.47 306.17 305.17 304.67

(ii) in column 1, for the Zone 'Orissa' the Zone 'Orissa and West Bengal' shall be substituted :

(c) in Schedule IV,

(i) after the existing entries relating to Maharashtra Zone the following Zone and entries shall be inserted, namely:—

1	2	3	4	5	6	7
---	---	---	---	---	---	---

Karnataka 307.07 305.92 305.37 306.07 305.07 304.57

(ii) in Column 1, for the Zone 'Orissa' the Zone 'Orissa and West Bengal' shall be substituted;

(d) in Schedule V,—

(i) under the heading 'PUNJAB', after serial number 5 and the entry relating thereto the following serial number and entry shall be inserted, namely:—

"6. Punjab Khand Udyog Limited, P.O. Box 27, Gurdaspur.";

(ii) under the heading "WEST UTTAR PRADESH",

(a) serial numbers 1 and 3 and the entries relating thereto shall be deleted;

(b) after serial number 19 and entry relating thereto, the following serial number and entry shall be inserted, namely:

"20 Modi Industries limited, Modinagar, District Meerut.";

(iii) under the heading "CENTRAL UTTAR PRADESH", serial number 16 and the entry relating thereto shall be deleted;

(iv) under the heading "EAST UTTAR PRADESH", serial number 6 and the entry relating thereto shall be deleted;

(v) under the heading "NORTH BIHAR", serial numbers 2, 7, 8 and 11 and the entries relating thereto shall be deleted;

(vi) the heading "SOUTH BIHAR" and the entry therein shall be deleted;

(vii) under the heading "MAHARASHTRA",

(a) serial number 1, 6 and 7 and the entries relating thereto shall be deleted;

(b) after serial number 69 and the entry relating thereto, the following serial numbers and entries shall be inserted, namely:—

"70. Shri Sant Eknath Sahakari Sakhar Karkhana Ltd., Wahegaon, Taluk Paithan, District Aurangabad.

71. Bhima Sahakari Sakhar Karkhana Ltd., Post Patas, Taluka Daund, District Pune.

72. Bhogawati Sahakari Sakhar Karkhana Limited, Erle-vairage, P.O. Vairage, District Sholapur."

(viii) under the heading "KARNATAKA", serial number 6 and the entry relating thereto shall be deleted;

(ix) under the heading "TAMIL NADU", after serial number 19 and the entry relating thereto, the following serial number and entry shall be inserted, namely:—

"20. The Perambalur Sugar Mills Ltd.; (Pandit Jawaharlal Nehru Sugar Mills), Eraiur, village, Parambalur Taluk, District Trichy.";

(x) Under the heading "WEST BENGAL", serial number 1 and the entry relating thereto shall be deleted;

(e) in Schedule VI,

(i) under the heading "WEST UTTAR PRADESH",

(A) Serial number 1 and the entry relating thereto shall be deleted;

(B) after serial number 3 and the entry relating thereto, the following serial numbers and entries shall be inserted, namely:—

"4. The U.P. State Sugar Corporation Ltd., Unit Sakhoti Tanda, P.O. Sakhoti Tanda, District Meerut;

5. Jaswant Sugar Mills Ltd; Meerut City District Meerut."

(ii) Under the heading "CENTRAL UTTAR PRADESH", after serial number 3 and the entry relating thereto the following serial number and entry shall be inserted, namely:—

"4. The Seksaria Biswan Sugar Factory Private Ltd., Biswan, District Sitapur.";

(iii) Under the heading "EAST UTTAR PRADESH" after serial number 21 and the entry relating thereto, the following serial number and entry shall be inserted, namely:—

"22. The Ganesh Sugar Mills, P.O. Anandnagar, District Gcrakhpur.";

(iv) under the heading "NORTH BIHAR", after serial number 12 and the entry relating thereto, the following serial numbers and entries shall be inserted, namely:—

(v) "13. Bel sund Sugar Co. Ltd., P.O. Righa, District Muzaffarpur;

14. The Motipur Sugar Factory Private Ltd., P.O. Motipur, District Muzaffarpur;

15. New Swadeshi Sugar Mills Ltd., P. O. Narkatiaganj, District Champaran;

16. The Vishnu Sugar Mills Ltd., P.O. Vishnu Sugar Mills, Gopalganj, District Saran;

17. The Behar Sugar Works, Pachrukhi,

District Saran.”;

(v) under the heading “SOUTH BIHAR”, after serial number 2 and the entry relating thereto, the following serial number and entry shall be inserted, namely:—

“3. South Behar Sugar Mills Ltd., P.O. Bihta, District Patna”;

(vi) under the heading “MAHARASHTRA”, after serial number 2 and the entry relating thereto, the following serial numbers and entries shall be inserted, namely:—

“3. The Ravalgoan Sugar Farm Ltd., P.O. Ravalgoan, District Nasik;

4. The Godawari Sugar Mills Ltd., P.O. Sakarwadi, District Ahmednagar.

4. The Godawari Sugar Mills Ltd., P.O. Lakshmiwadi, District Ahmednagar.”

(vii) after the heading “MAHARASHTRA”, and the entries relating thereto, the following heading and entry shall be inserted, namely:—

“KARNATAKA—The Salarjung Sugar Mills (division of India Sugars and Refineries Ltd.), P.O. Munirabad, District Raichur.”;

(viii) after the heading “ORISSA” and the entry relating thereto, the following heading and entry shall be inserted, namely:—

“WEST BENGAL—The Ramnugger Cane and Sugar Company Ltd., P.O. Plassey, District Nadia.”

[No. 2-8/80-SPY (D-II).]

C. N. RAGHAVAN,
Joint Secretary (Sugar).

LAW DEPARTMENT NOTIFICATION

Simla-171002, the 2nd February, 1981

No. LLR-E (9)-12/81.—The Special Bearer Bonds (Immunities and Exemptions) Ordinance, 1981 (1 of 1981) recently promulgated by the President and published in the Gazette, of India, Extra ordinary, Part II, dated 12th January 1981 Section I, is hereby republished in the Himachal Pradesh Government Rajpatra, for the information of general public.

G. S. CHAUHAN,
Under Secretary (Law).

MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS

LEGISLATIVE DEPARTMENT

New Delhi, the 12th January, 1981/Pausa 22, 1902(Saka)

THE SPECIAL BEARER BONDS (IMMUNITIES AND EXEMPTIONS) ORDINANCE, 1981 (No. 1 of 1981)

Promulgated by the President in the Thirty-first Year of the Republic of India.

An Ordinance to provide for certain immunities to holders of Special Bearer Bonds, 1991 and for certain exemptions from direct taxes in relation to such bonds and for matters connected therewith.

WHEREAS for effective economic and social planning it is necessary to canalise for productive purposes black money which has become a serious threat to the national economy;

AND WHEREAS with a view to such canalisation the Central Government has decided to issue at par certain bearer bonds to be known as the Special Bearer Bonds, 1991, of the face value of ten thousand rupees and redemption value, after ten years, of twelve thousand rupees;

AND WHEREAS it is expedient to provide for certain immunities and exemptions to render it possible for persons in possession of black money to invest the same in the said Bonds;

AND WHEREAS Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 123 of the Constitution, the President is pleased to promulgate the following Ordinance:—

1. *Short title, extent and commencement.*—(1) This Ordinance may be called the Special Bearer Bonds (Immunities and Exemptions) Ordinance, 1981.

(2) It extends to the whole of India.

(3) It shall come into force at once.

2. *Definition.*—In this Ordinance, “Special Bearer Bonds” means the Special Bearer Bonds, 1991, issued by the Central Government.

3. *Immunities.*—(1) Notwithstanding anything contained in any other law for the time being in force,—

(a) no person who has subscribed to or has otherwise acquired Special Bearer Bonds shall be required to disclose, for any purpose whatsoever, the nature and source of acquisition of such Bonds;

(b) no inquiry or investigation shall be commenced against any person under any such law on the ground that such person as subscribed to or has otherwise acquired Special Bearer Bonds; and

(c) the fact that a person has subscribed to or has otherwise acquired Special Bearer Bonds shall not be taken into account and shall be inadmissible as evidence in any proceedings relating to any offence or the imposition of any penalty under any such law.

(2) Nothing in sub-section (1) shall apply in relation to prosecution for any offence punishable under Chapter IX or Chapter XVII of the Indian Penal Code (45 of 1860), the Prevention of Corruption Act, 1947 (2 of 1947) or any offence which is punishable under any other law and which is similar to an offence punishable under either of those Chapters or under that Act or for the purpose of enforcement of any civil liability.

Explanation.—For the purposes of this sub-section, “civil liability” does not include liability by way of tax under any law for the time being in force.

4. *Acquisition, etc., of Bonds not to be taken into account for certain proceedings.*—Without prejudice to the generality of the provisions of section 3, the subscription to, or acquisition of, special Bearer Bonds by any person shall not be taken into account for the purpose of any proceedings under the Income-tax Act, 1961 (43 of 1961) (hereinafter referred to as the Income-tax Act), the Wealth-tax Act, 1957 (27 of 1957) (hereinafter referred to as the Wealth-tax Act) or the Gift-tax Act, 1958 (18 of 1958) (hereinafter referred to as the Gift-tax Act) and, in particular, no person who has subscribed to, or has otherwise acquired, the said Bonds, shall be entitled—

(a) to claim any set-off or relief in any assessment, re-assessment, appeal, reference or other proceeding under the Income-tax Act or to reopen any assessment or re-assessment made under that Act on the ground that he has subscribed to or has otherwise acquired the said Bonds;

(b) to claim at any time before the date of maturity of the said Bonds that any asset which is includable in his net wealth for any assessment year under the Wealth-tax Act has been converted into the said Bonds; or

(c) to claim at any time before the date of maturity of the said Bonds that any sum credited in his books of account or otherwise held by him

represents the consideration received by him for the transfer of the said Bonds.

5. *Amendment of Act 43 of 1961.*—In the Income-tax Act,—

- (a) in section 2, in clause (14), after sub-clause (iv), the following sub-clause shall be inserted, namely:—
“(v) Special Bearer Bonds, 1991, issued by the Central Government;”;
- (b) in section 10, in clause (15), after sub-clause (ia), the following sub-clause shall be inserted, namely:—
“(ib) premium on the redemption of Special Bearer Bonds, 1991;”.

6. *Amendment of Act 27 of 1957.*—In section 5 of the Wealth-tax Act, in sub-section (1), after clause (xvi), the following clause shall be inserted, namely:—

- “(xvib) Special Bearer Bonds, 1991;”.

7. *Amendment of Act 18 of 1958.*—In section 5 of the Gift-tax Act, in sub-section (1), after clause (iii),

the following clause shall be inserted, namely:—
“(iiib) of property in the form of Special Bearer Bonds, 1991;”.

8. *Power to remove difficulties.*—(1) If any difficulty arises in giving effect to the provisions of this Ordinance, the Central Government may, by order, not inconsistent with the provisions of this Ordinance, remove the difficulty.

(2) Every order made under this section shall, as soon as may be after it is made, be laid before each House of Parliament.

N. SANJIVA REDDY,
President.

R. V. S. PERI SASTRI,
Secy. to the Govt. of India.

लाग 7—भारतीय निर्वाचन प्रायोग (Election Commission of India) को वैधानिक प्रधिसूचनाएं तथा अन्य निर्वाचन सम्बन्धी प्रधिसूचनाएं

शृंखला

प्रानुप्रक्र

शृंखला

PART I

BOARD OF DEPARTMENTAL EXAMINATIONS

NOTIFICATIONS

Fair Lawns, Simla-12, the 5th May, 1981

No. HIPA(Exam.)21/76.—The departmental examination for the Excise and Taxation Inspectors in the Excise and Taxation Department of Himachal Pradesh Government will be held on the dates specified below. The examination will take place at the Himachal Pradesh Institute of Public Administration, Fair Lawns, Simla-171012. For details of the examination, the intending examinees are requested to refer to the Departmental Examination Rules of the Excise and Taxation Inspectors in the Excise and Taxation Department, Himachal Pradesh, 1978.

Sr.No.	Date	Day	Excise and Taxation Inspectors
1.	1-7-1981	Wednesday	(F.N.) (A.N.) Law of Crimes Excise Law
2.	2-7-1981	Thursday	(F.N.) (A.N.) Law Relating to Allied Taxes Property Tax Law and Practice and Civil Laws.
3.	3-7-1981	Friday	(F.N.) (A.N.) Sales Tax Law and Practice Book Keeping and General Commercial Knowledge
4.	4-7-1981	Saturday	(F.N.) Landa Script (Amritsari or Mahajani)

Note.—Forenoon Session will start at 10.00 A.M. and afternoon Session at 2.00 P.M.

Those who intend to appear in the examination should send their applications on the printed prescribed form through the Excise and Taxation Commissioner, Himachal Pradesh, Railway Board Building, Simla-171003 to the Secretary, Himachal Pradesh Board of Departmental Examinations, Fair Lawns, Simla-171012 by 5th June, 1981 at the latest. Applications received late will not be entertained. The printed prescribed application forms are available for sale against Rs. 0.25 per form with the Controller, Printing and Stationery, Himachal Pradesh, Simla-171005.

Fair Lawns, Simla-1/71012, 5th May, 1981

No. HIPA (Exam)21/76.—The departmental examinations for the Officers of the Himachal Pradesh Government will be held on the dates specified below. The Examinations will take place at the Himachal Pradesh Institute of Public Administration, Fair Lawns, Simla-1/71012. For details of the various examinations the intending examinees are requested to refer to the Himachal Pradesh Departmental Examinations Rules, 1976.

Sl. No.	Date	Day	I. A. S.	H. A. S.	IFS/HPFS	Gazetted Officers of Government of H. P.	All other		
							Tehsildars	Naib Tehsildars	
1	2	3	4	5	6	7	8	9	
1. 1-7-1981	Wednesday(F.N.)	Cr. Law and Procedure.	Cr. Law and Procedure.	Management and Public Administration.	Management and Public Administration.	Land Revenue, Acts and Rules.	Land Revenue, Acts and Rules.		
	(A.N.)	—	Constitution and Civil Law.	—	—	—	Arithmetic and Patwari Mensuration.	Arithmetic and Patwari Mensuration.	
2. 2-7-1981	Thursday (F.N.)	Revenue Law and Procedure.	Revenue Law and Procedure.	Planning	Planning	Minor Revenue Acts and Rules.	Minor Revenue Acts and Rules.		
	(A.N.)	—	General Administration.	—	—	Cr. Law and Procedure.	Cr. Law and Procedure.		
3. 3-7-1981	Friday (F.N.)	Criminal Case	Criminal Case	Financial Administration.	Financial Administration.	Revenue Case	Technical Paper-I	Local and Special Law.	
	(A.N.)	Hindi	Hindi	Hindi	Hindi	Planning and Development.	—	—	
4. 4-7-1981	Saturday (F.N.)	Revenue Case	Revenue Case	Technical Paper-II	Technical Paper-II	—	—	—	
	(A.N.)	—	—	Hindi	Hindi				
5. 6-7-1981	Monday (F.N.)	Civil Service, Treasury and Financial Rules.	Civil Service, Treasury and Financial Rules.	Technical Paper-II	Technical Paper-II	Local Fund, Financial and Treasury Rules.	—		
	(A.N.)	Special Acts (Cr.) Manuals and Rules.	Special Acts (Cr.) Manuals and Rules.	—	—	—	—		

1	2	3	4	5	6	7	8	9
6. 7-7-1981	Tuesday (F.N.)	Minor (Revenue) Acts and Manuals.	Minor (Revenue) Acts and Manuals.	Technical Paper III	Technical Paper III	—	—	—
	(A.N.)	Motor Mechanism and Driving.	Motor Mechanism and Driving.	—	—	—	—	—
7. 8-7-1981	Wednesday (F.N.)	—	Target Shooting (Rifle-Revolver). Horse Riding.	—	—	—	—	—
	(A.N.)	—	—	—	—	—	—	—

Note.—Forenoon Session will start at 10.00 A.M. and Afternoon Session at 2.00 P.M.

Those who intend to appear in the examination should send their applications on the printed prescribed form through their respective heads of departments to the Secretary, Himachal Pradesh Board of Departmental Examinations, Fair Lawns, Simla-171012 by 5th June, 1981. Applications received late will not be entertained. The Printed prescribed forms can be had at a cost of Rs. 0.25 per form from the Controller, Printing and Stationery, Himachal Pradesh, Simla-171005.

R. G. SOOD,
Secretary,
H. P. Board of Departmental Examinations, Fair Lawns, Simla-171012.